

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC(A) No. 431 of 2017**

Navdeep Tiwari, S/o. N K Tiwari, Aged About 36 Years, R/o Village- Tekari Post Office- Mandhhar, Police Station Tahsil- Raipur Civil & Revenue District Raipur, Chhattisgarh.

---- Applicant

## Versus

State of Chhattisgarh Through Police Station Mahila Thana, Raipur Civil & Revenue District Raipur, Chhattisgarh.

---- Respondent

For Applicant :- Mr. Dinesh Tiwari, Advocate

For Respondent /State :- Mr. Rahul Tamaskar, Panel Lawyer.

**Hon'ble Shri Justice Anil Kumar Shukla**

## Order On Board

31/05/2017

1. Apprehending his arrest in connection with Crime No. 19/2017 registered at Police Station- Mahila Thana, Raipur, District Raipur (C.G.) for the offence punishable under Section 498-A of the Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. The allegation levelled against the applicant is under Section 498-A IPC. The applicant and his wife are residing separately. The applicant is apprehending his arrest in connection with the crime registered against him under Section 498-A of the IPC.
3. Learned counsel appearing for the applicant submits that fabricated and false allegation has been levelled against the applicant. The applicant tried his best many times to persuade the complainant/wife to live with him but she did not agree and she is

living separately. There was no demand for dowry and the complainant/wife was never harassed or ill-treated. The applicant is an employee and if he is arrested his service/job will be affected. Therefore, the applicant may be given the benefit of Section 438 of the Cr.P.C. and may be granted anticipatory bail in the event of his arrest.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Taking into consideration the submissions of either party and the fact that the applicant and the complainant/wife are living separately and there may be a possibility of compromise between them, I find the instant case fit for grant of anticipatory bail.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions-
  - (i) That the applicant shall make himself available for interrogation by a Police Officer as and when required.
  - (ii) That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer or any Police Officer.
  - (iii) That he shall not act in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) That he shall appear before the trial Court on each and every date given to him by the said Court in this regard till the end of the trial.

C.C. today.

Sd/-  
**(Anil Kumar Shukla)**  
**Vacation Judge**

santosh