

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 516 of 2017

Giriraj Sharan Singh S/o Late Ballabh Singh, Aged About 49 Years Coste Kshatriya, R/o Nariyari, P. S. Mulmula, Tah. Akaltara District. Janjagir-Champa (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through:- P. S. Mulmula, Tah. Akaltara District Janjagir- Champa (Chhattisgarh).

---- Respondent

Shri Vijay K. Deshmukh, counsel for the petitioner/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2017

Heard.

The applicant is apprehending his arrest in connection with Crime No.161/2016 registered at Police Station – Mulmula, District – Janjgir - Champa (CG) for alleged commission of offences under Section 498 (A) / 34 of IPC.

2. Case of the prosecution is that the applicant subjected his wife to cruelty and threw her out of the matrimonial house and did not allow her to come back.
3. Learned counsel for the applicant submits that the allegations against the applicant are exaggerated though there may be some dispute and differences between the husband and wife. It is submitted that as the victim could not come to the matrimonial house and only to exert pressure, report has been lodged against the applicant. It is further submitted that there is no allegation of physical violence or any injury on body of the victim.
4. Learned State counsel submits that the applicant subjected his wife to cruelty and she was assaulted and unnecessarily shunted out of her matrimonial

house.

5. Having considered the submission of learned counsel for the parties, particularly taking into consideration the nature of allegations and that no particular or specific incident of physical violence is stated and no injury was found on the body of the victim, I am inclined to grant anticipatory bail to the applicant.

6. Accordingly, this application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and he 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 any Police Officer.

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge