

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1213 of 2016**

- Chandra Bhushan Tiwari S/o Narmada Prasad, Aged About 34 Years Occupation Unemployed, R/o Kishungarh, Police Station Pandariya, Kabirdham, Tehsil & District Kabirdham, Chhattisgarh.

---- **Petitioner****Versus**

- State Of Chhattisgarh Through District Magistrate Kabirdham, Police Station Pandariya, District Kabirdham, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Malay Kumar Bhaduri, Advocate

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****05-01-2017**

1. Apprehending arrest in connection with Crime No. 179 of 2016, registered at Police Station Pandariya, District Kabirdham (CG), for the offence punishable under Section 498-A of the IPC, the applicant has preferred the application under Section 438 of the Cr.P.C, for grant of anticipatory bail.
2. As per case of the prosecution, on 28-6-2016 a report was made by the complainant Jaleshwar Prasad Sharma that his daughter Pratibha was married to present applicant in the year 2010 and she was subjected to torture for demand of dowry and over mental cruelty and non-supply of food by the present applicant and other co-accused persons and thereby the aforesaid offence has been committed.
3. Learned counsel appearing for the applicant would submit that after six years of marriage, dispute occurred because of fact that wife of

the applicant was not conceived and on trivial issue, a report was made, therefore, only general allegations have been attributed against the present applicant, therefore, he may be extended the benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties, perused the case diary, other documents and also the statement of the wife of the applicant.
6. Considering the fact that the allegations attributed to the present applicant appear to be general in nature, I am inclined to extend benefit of anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:
 - (i) that the applicant shall make himself available for interrogation before the Investigating Officer as and when required.
 - (ii) that the applicant 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/her 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) 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/-
(Goutam Bhaduri)
Judge

Raju