

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2924 of 2017

- Maneesh Sharma S/o Late Mr. R.N. Sharma, Aged About 32 Years, R/o Magarpara, Police Station Civil Lines, Tehsil & District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Civil Lines, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Achyut Tiwari, Advocate.
For Non-applicant/State – Shri Shashank Thakur, Govt. Advocate.
For Objector – Shri Goutam Khetrapal, Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

13-06-2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.236/2017 registered at P.S. Civil Lines, District Bilaspur, C.G. for the offence punishable under Section 498-A, 324, 34 of the IPC and Section 2, 3 of the Domestic Violence Act 2005.
2. As per the prosecution case, a report was lodged by the complainant/wife of the present applicant that she was married with the applicant on 17-02-2016. After the marriage she was subjected to torture by father-in-law and husband and she was also stabbed. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in this case. There has been certain dispute took place between the applicant and complainant/wife and there no demand was ever made. He referred to the documents and submits that conciliation proceedings have also taken place and it was complainant disagreed to stay together and leveled false allegations. He further submits that charge sheet has been filed

and the applicant is in jail since 01-04-2017, therefore, the applicant may be enlarged on bail.

4. Learned counsel for the State and learned counsel for objector/complainant wife oppose the bail application. Learned counsel for the objector submits that no house-hold article was returned to the objector/wife. He filed the documents and statement of the victim.

5. Perused the case diary and the documents. It appears that there are conciliation proceedings. Considering the same and the fact that the applicant is in jail since 01-04-2017, I am inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one solvent surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

7. C.C. as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge