

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 232 of 2018

- Mukesh Pandey S/o Jawaharlal Pandey Aged About 32 Years R/o- Near Mata Chaura, Kududand, Bilaspur, Tehsil And District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station In Charge, Police Station- Mahila Thana, Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Arvind Shrivastava, Advocate.
For Respondent/State : Mrs. Smita Ghai, Panel Lawyer.
For Objector : Mr. Anand Shukla, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

04/05/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.04/2018 registered at Police Station-Mahila Thana, District – Bilaspur(C.G.), for the offence punishable under Sections 498-A, 506, 294/34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant. A totally false FIR has been lodged against this applicant. In fact the complainant herself is qualified Engineer and the applicant only wanted, that she should also get selected in some job

but the complainant continuously failed in the interviews and the selection tests because of which she herself got frustrated and lodged this FIR making false allegation, hence, it is prayed that he may be enlarged on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the complaint made, this applicant and his parents have pressurized and tortured the complainant in the various manners because of her failure in getting selection for a job. There is also clear allegation that applicant and his parents were making demand of dowry for which the complainant was being subjected to torture and cruel treatment for demand of dowry, hence, he is not entitled for grant of bail.
4. Learned counsel for the objector after adopting the argument submitted by counsel for State submits, that from the very next day of marriage, there had been demand of dowry in which a residential plot was demanded by the applicant and his parents. As the complainant could not get selected for any Government Service, she was pressurized by the applicant and his parents that she should make a demand of Rs.60,000/- per month from her parents for being taken care in the matrimonial home. Written objection has been submitted along with affidavit in support of the submissions made in it.
5. Heard both the parties and perused the case diary.
6. Marriage of applicant with complainant Vandana Pandey was performed on 28.6.2016. Soon after she went to reside in Rawatbhata, Rajasthan, it is alleged in the complaint that the applicant was pressurized and tortured for not being selected in the interviews and selection tests for various jobs she applied for and there also have

been demand of dowry. Written complaint and the statement of complainant shows that the complainant was subjected to torture. The complainant left her matrimonial home on 22.2.2017 and thereafter the FIR has been lodged. Hence, this case.

7. Considered on the entire material present in the case diary looking to the nature of allegation made against this applicant and the evidence present in this respect, I am of this view that no case is made out for grant of anticipatory bail.
8. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha