

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2047 of 2018

- Virendra Dhritlahre S/o Laxmi Prasad Aged About 23 Years R/o- Village- Chantipali, P.S. And Tahsil- Kasdol, District- Baloda- Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O.- P.S.- Kasdol, District- Baloda- Bazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant : Mr. Hemant Gupta, Advocate.
For Respondent : Ms. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.37/2018, registered at Police Station-Kasdol, Civil & Revenue District- Baloda Bazar- Bhatapara(C.G.) for the offence punishable under Section 498-A, 377 of Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. Applicant is in jail since 30.1.2018. Presently charge-sheet has been filed and the case is pending before the trial Court. No case is made out against this applicant. Totally false FIR has been lodged by the complainant, who happens to be wife of

this applicant. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that it is a case of physical assault and unnatural intercourse. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, after marriage with the complainant/victim, this applicant used to continuously harass her for various reasons and he also tried to compel her to have unnatural sex with him. On refusal of complainant, the applicant used to thrash her. There is another allegation as well, that this applicant was demanding dowry and subjecting the complainant to torture for fulfillment of that demand, hence, this case.
6. After considering on all the material present in the case diary, I am of this view that this is a fit case where applicant should be granted regular bail during the pendency of the trail against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge