

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 552 of 2018

- Nikita Agrawal D/o Shri Anil Kumar Agrawal, Aged About 24 Years, Occupation Service, Working At Pune, Maharashtra, Permanent R/o 401, Adinath Parisar, Ganga Nagar, Mangla, Police Station Civil Lines, Bilaspur, Tehsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Ms. Anubhuti Marhas, Advocate.

For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-06-2018

1. Apprehending arrest in connection with Crime No. **903/2017**, registered at Police Station – Civil Lines Bilaspur, Chhattisgarh for offence punishable under Section 498-A read with Section 34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. No offence is made out against her. Similarly placed co-accused persons have been granted anticipatory bail by this Court. This applicant is a software engineer and is working at Pune and she was not residing at Bilaspur where the incident is alleged to have taken place. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. This applicant is sister-in-law of complainant Shilpi Agrawal. It is alleged that after marriage of complainant Shilpi Agrawal with co-accused Nihar Agrawal, she was tortured and treated with cruelty for demand of dowry by her husband and in-laws and then she was driven out of her matrimonial house,

because of which the FIR has been lodged.

6. Considered on the contents of the case diary. Taking into consideration this fact that on the similar facts the co-accused persons have been granted anticipatory bail and also keeping in view the guidelines laid down by Hon'ble the Supreme Court in case of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273, and Rajesh Sharma & Ors. Vs. State of U.P. & Ors., reported in 2017 (8) SCALE 313, I am of this view that this is a fit case for grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one 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 herself 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) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge