

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3313 of 2018

- Shiva Reddy S/o Nagbhushan Reddy, Aged About 27 Years, R/o- Hemunagar, Police Station Torwa, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Police Station Tarbahar, District- Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sunil Otwani, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-05-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 23-03-2018 in connection with Crime No.172/2017 registered at P.S. Bodhghat, District- Jagdalpur, Chhattisgarh for the offence under Section 420, 495 and 498(A) of IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 23-03-2018. The investigation is still pending. The applicant is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that this applicant has concealed his first marriage and married the complainant in this case, hence, it is not a case of grant of regular bail. Apart from that, this applicant has one criminal antecedent about being prosecuted under Section 420, 467, 468, 471 of the IPC.

4. Heard learned counsel for the parties and perused the case diary.

5. The allegation made by complainant Pragati Baghel is this, that the applicant concealed this fact that he was already married and his first wife was living, and performed marriage with her on 07-12-2013 in Arya Samaj Temple. Subsequent to which, this applicant had tortured the complainant on numerous occasions for demand of dowry. Hence, the FIR has been lodged.

6. After considering all the facts and circumstances of this case, it appears that there is all likelihood that the applicant will be prosecuted in this case, no purpose would be served if he is kept in detention during pendency of the investigation and trial, hence, for these reasons, I am of this view that this applicant should be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge