

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 725 of 2018**

Pranay Kumar Tripathi, S/o. Shri Parikshit Tripathi, Aged About 32 Years,
R/o. Malidipa, Near Gayatri Mandir, Boidadar, Raigarh, Tehsil And District
Raigarh, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, P. S. Chakradhar
Nagar, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Chandresh Shrivastava, Advocate
For Respondent/State	: Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****26/07/2018**

1. Apprehending arrest in connection with Crime No.161/2018, registered at Police Station – Chakradhar Nagar, District – Raigarh (C.G.) for offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. The co-accused persons in this case have been enlarged on anticipatory bail by the trial Court itself. Hence, for this

reason, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the prosecution case, the marriage of the applicant was performed with the complainant Ankita Tripathi on 11.11.2016. Subsequent to the marriage, applicant and in-laws of the complainant started demanding dowry of Rs.10.00 lakhs from the complainant and her parents on the pretext that they have to utilize the money in establishing the petrol pump. As the demand could not be met by them, the complainant was driven out of matrimonial home on 20.05.2017. After passing of one year, FIR was lodged on 20.05.2018 on the basis of written complaint filed on 25.09.2017.
6. Considered the submissions made and the contents of the case diary. After due consideration of all the material present in the case and also keeping in view the guidelines laid down by the Hon'ble 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, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the

officer arresting him 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 applicants shall make himself 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 him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge