

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 743 of 2018

- Nilmani Singh S/o Rana Rajendra Singh, Aged About 59 Years, R/o Near Jayanti Apartment, Road No. 15, Indrapuri, Gokulpath, Keshari Nagar, Patna, Tahsil & District Patna Bihar, District : Patna, Bihar

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Mahila Thana Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Rajesh Kumar Sharma, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-08-2018

1. Apprehending arrest in connection with Crime No.08/2018, registered at Police Station –Mahila Thana Raipur, District Raipur, Chhattisgarh for offence punishable under Section 498-A, 377 & 511 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 case is made out against him. Similarly placed co-accused Smt. Laxmi Devi Singh has been granted anticipatory bail in MCRCA No.235/2018 by this Court vide order dated 11-05-2018. Hence, it is prayed that this applicant may also 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. As per the case, marriage of complainant Priyanka Singh with co-accused Rohit Singh was performed on 22-01-2017. During her stay in her matrimonial home, demand of Honda City Car in dowry was made by the applicant and the co-accused persons and dissatisfaction was also expressed about the gifts and other dowry items given in marriage, for which, she was subjected to torture. There is allegation against co-accused Rohit Singh about

having unnatural intercourse with the complainant as well. Subsequently, the complainant was compelled to leave her matrimonial home and the FIR has been lodged in this case.

6. After due consideration on all the entire material present in the case diary, it appears that case of this applicant is similar to the case of co-accused Smt. Laxmi Devi Singh, hence, for this reason, I am of this opinion that this applicant should be benefited with 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, 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 applicant 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

