

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 792 of 2018

- Rajkumar Verma S/o Deep Kumar Verma, Aged About 31 Years, R/o- Village Siltara, P.S.- Pathariya, Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The SHO of Police Station- Pathariya, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicant – Shri Pallav Mishra, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-08-2018

1. Apprehending arrest in connection with Crime No.194/2018, registered at Police Station – Pathariya, District- Mungeli, Chhattisgarh for offence punishable under Section 498-A and 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. According to the FIR itself it is clear that cause of dispute is something else which is alleged that the applicant has performed second marriage and only general allegation about the demand of dowry has been made by the complainant. 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. According to the FIR lodged in this case, the applicant has performed second marriage and subsequent to that he has made demand of dowry from the complainant and has driven away her from his house after assaulting and beating her.

6. After considering on the entire material present in the case diary and 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 feel inclined to grant anticipatory bail to this applicant.

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