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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 993 of 2018**

Safaat Jeemal (सफाअत जीमल), aged about 32 years, S/o. Late Jameel, occupation – Contractor. Presently resided at – Qtr. No. D-13, Kharmora, Housing Board Colony, Industrial Area, Korba, District – Korba (C.G.)

----Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Of Police Station- Ramanujganj, District- Balrampur - Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Umesh Pandey, Advocate
For Respondent/State	: Mr. Rahul Tamaskar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****06/09/2018**

1. Apprehending arrest in connection with Crime No.31/2018, registered at Police Station – Ramanujganj, District – Balrampur – Ramanujganj (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 according to the material present in the case diary. For the reason that the complainant herself does not want to reside in her matrimonial home, the false complaint has

been made. 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 with the complainant – Sogara Khatun took place on 04.11.2016. It is alleged that when the complainant was residing in her matrimonial home, dowry of Rs.5.00 lakhs was demanded by the applicant and others and for that purpose, the complainant was subjected to mental and physical torture, because of which FIR has been lodged in this case.
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 *Armesh 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram