

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8612 of 2018**

- Rahul Mishra, S/o Rajesh Mishra, aged about 28 years, R/o Purani Basti, Mavali Chowk, P.S.- Baloda-Bazar, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through S.H.O., P.S. City Kotwali, Baloda-Bazar, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Hemant Gupta, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**29/11/2018**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 466/2018, registered at Police Station – City Kotwali, Baloda-Bazar District- Balodabazar-Bhatapara, Chhattisgarh, for the offence punishable under Sections 498A, 506 read with 34 of the Indian Penal Code.
2. As per the prosecution story, the marriage of the Complainant Vandana Mishra and the Applicant was solemnized on 26.04.2016. On 11.08.2018, a written complaint was made by the Complainant Vandana Mishra wherein it has been alleged that after the marriage she was subjected to cruelty and harassment by the present Applicant and his family members. On the basis of the said report, offence has been registered. The Applicant has been taken into custody on 23.10.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case. He further states that the case is triable under JMFC. Charge-sheet has already been filed and the Applicant is in custody since 23.10.2018. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has already been filed, Applicant is in custody since 23.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge