

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 307 of 2019**

- Manish Mishra S/o Sunil Mishra Aged About 26 Years R/o Behind Pragati College, S. S. Vihar, Sejbahar, Raipur, Tahsil And District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Purani Basti Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Rahim Ubwani, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**12/03/2019**

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.343/2019 registered at Police Station-Purani Basti, District–Raipur(C.G.), for the offence punishable under Sections 498A, 34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against him that promised by the father of this applicant, the complainant was provided with a job in Forest Department soon after her marriage. Thereafter, the complainant became egoistic and the matrimonial dispute arose between applicant and the complainant because of

which she left her matrimonial home after a few months from her marriage. This applicant again made an effort, therefore, the complainant again came back to reside in her matrimonial home ,but the things did not improved and she left again her matrimonial home and has lodged false FIR against this applicant, therefore, it is prayed that applicant be granted anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the statement made by the prosecutrix in her complaint, no case is made out for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. The marriage of applicant with complainant was performed on 6.2.2018. It is alleged that soon after marriage, the complainant was subjected to torture and cruel treatment by this applicant and other co-accused persons for demand of dowry because of which she felt compelled to leave her matrimonial home.
6. Considered on all the material present in the case diary and looking to the nature of allegation and also that there is possibility of settlement of matrimonial disputes between the parties, for these reasons, I feel inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge