

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 483 of 2019

- Hariram Yadav S/o Late Shri Gorelal Yadav, Aged About 27 Years, R/o Village- Rishda, Police Station- Baradwar, Tahsil- Champa, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station- Baradwar, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Lav Sharma, Advocate.

For Non-applicant/State – Shri Rahim Ubwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-04-2019

1. Apprehending arrest in connection with Crime No.33/2019, registered at Police Station – Baradwar, Civil and Revenue District- Janjgir-Champa Chhattisgarh for offence punishable under Section 498-A, 323, 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. The applicant is husband of the complainant and he has never made any demand of any money or expenses from the complainant. Similarly placed co-accused persons Murli Yadav and Smt. Ranjita Yadav have been granted anticipatory bail by this Court in MCRCA No.378 of 2019 vide order dated 19-03-2019, the applicant is also similarly placed, hence, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
5. Heard learned counsel for the parties and perused the case diary.
6. Marriage of complainant with this applicant was performed on 26-04-2018. It is alleged in the FIR that soon after the marriage the applicant and other co-accused made statement that the expenses of marriage had gone

beyond their budget which should be compensated by the parents of the complainant, hence, for this the demand was made and the complainant was subjected to torture and cruel treatment.

7. Considering on the nature of case and also keeping in view the law laid down by Hon'ble the Supreme Court in the matter of **Arnesh Kumar vs. State of Bihar**, reported in (2014) 8 SCC 273, and **Rajesh Sharma vs. State of Uttar Pradesh and Ors.**, reported in (2017) 8 SCALE 313, I am of this opinion that the applicant deserves to be benefited with grant of anticipatory bail.

8. 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.

9. Certified copy as per rules.

Sd/-
(**Rajendra Chandra Singh Samant**)
Judge