

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 953 of 2019

- Saurabh Shrivastava S/o Shri Prakash Shrivastava, Aged About 29 Years, R/o Ji Shyam Nagar, Near Collector Colony Kawardha, District- Kabeerdham, Present Address- Trimurti Colony, Raipur Road, Mahasamund, Thana and Tahsil- Mahasamund, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Kawardha, Civil and Revenue District- Kabeerdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicant – Shri Sumit Shrivastava, Advocate.

For Non-applicant/State – Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-08-2019

1. Apprehending arrest in connection with Crime No.236/2019, registered at Police Station – Kawardha, District Kabeerdham, Chhattisgarh for offence punishable under Section 498(A)/34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicants that the applicant has been falsely implicated in this case. It is a case of simple matrimonial dispute because the complainant, wife of this applicant could not adjust and behave in her matrimonial home, therefore, the false FIR has been lodged. There are possibility of settlement of dispute. Therefore, it is prayed that the applicant may be granted 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 prosecution case, that marriage of the applicant with complainant Smt. Ankita Shrivastava took place on 23-11-2017. It is alleged that just after two months from the date of marriage the applicant and other in-

laws started torturing the complainant by making statement of dissatisfaction with the dowry given and also torturing and misbehaving with her on various pretext. On one occasion this applicant also assaulted the complainant. Hence, this case.

6. Considering that the allegations made in the complaint against the applicant are general in nature and also for the reason that similarly placed co-accused persons have been granted anticipatory bail by this Court, I feel inclined to allow this application.

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