

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1444 of 2019**

- Abhishek Kumar S/o Shri Bacha Lal Ram Aged About 30 Years R/o Sector 12/c, Quarter No. 4028, Post And P.S. - Sector - 12, District Bokaro (Jharkhand)

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O., P.S. Navei, District Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Saurabh Dangi, Advocate.
For Respondent/State	:	Ms. Reena Singh, Advocate

Hon'ble Smt. Justice Rajani Dubey
Order on Board

12/09/2019

1. Heard on admission.
2. Admit.
3. This is the first application filed by the applicant under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who is apprehending arrest in connection with Crime No.35/2019, registered at Police Station Navei, District Durg(CG) for the offence punishable under Sections 498A, 506, 34 of the IPC and Sections 3 and 4 of the Dowry Prohibition Act.
4. Case of the prosecution is that complainant- Ragini Sharma was married to the applicant on 5.3.2016, who is working in Bhilai Steel Plant and after marriage she was residing with her husband and in-laws at Bhilai. After some time of the marriage, the applicant and his family members started the complainant treating with cruelty on account of demand of dowry. They

demanded her ornaments and when she refused, they abused and beaten her and ousted from house. The complainant alleged that the applicant has illicit relations with some other lady and that is why he is treating her with cruelty.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. On a small dispute, she has lodged a complaint against the applicant. He submits that the complainant has also implicated the family members of the applicants, who have already been enlarged on anticipatory bail by this Court vide order dated 23.8.2019. He placed reliance on **(2010) 7 SCC 667, Preeti Gupta and Another Vs. State of Jharkhand and Another** and **(2011) 1 SCC 694, Siddharam Satlingappa Mhetre Vs. State of Maharashtra & Ors.** He prays that the applicant may also be released on anticipatory bail.
6. On the other hand, counsel for the State opposes the application for anticipatory bail.
7. I have heard learned counsel the parties and perused the case-diary.
8. Considering the totality of the facts and circumstances of the case, particularly considering that the main allegations are against the applicant, who is husband of the complainant, this Court is of the view that it is not a fit case to grant anticipatory bail to the applicant. Accordingly, the application filed under Section 438 Cr.P.C. is rejected.
9. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

