

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC(A) No. 1455 of 2019**

- Bhuneshwar Prasad Bargarh S/o Shivshankar Bargarh, Aged About 39 Years R/o Ward No. 2 Karhepara, Ratanpur, Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Ratanpur, Civil and Revenue District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Smt. Sunita Sahu, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**06/11/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 321/2019 registered at Police Station Ratanpur, District – Bilaspur, (C.G.). for the offence punishable under Sections 498-A read with Section 34 of Indian Penal Code.
2. As per the prosecution story, marriage of present Applicant was solemnized with the Complainant on 12.02.2016. After the marriage, present Applicant, his family members and other co-accused persons used to torture and harass the Complainant on account of demand of dowry. On 11.08.2019, present Applicant committed mar-pit with the Complainant at her parental house. Thereafter, Applicant forcibly took the Complainant to his house and committed mar-pit with her and was not even allowed to eat food. Complainant was being pressurized to make present Applicant as nominee in her bank account and service documents. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case by the Complainant. She further submits that Complainant is a working lady and she wants to reside separate at her work place. She did not want to reside in her matrimonial house and due to this dispute, she has falsely implicated the present Applicant and his family members. It is further submitted that only general allegations have been made against the present Applicant. Other co-accused persons have already been granted anticipatory bail by the Sessions Court. Therefore, present Applicant may also be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties and further considering the fact that only general allegations have been made against all the accused persons and co-accused persons have already been granted anticipatory bail, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He 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 from disclosing such fact to the

Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash