

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.122 of 2020

- Surendra Singh Bagga, S/o Late Gyani Inder Singh Bagga, Aged About 67 Years, R/o Main Road, City and Police Station - Bishrampur, Tahsil and District – Surajpur, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh, through The Station House Officer, Police Station - AJAK, Surajpur, District – Surajpur, Chhattisgarh
2. The Station House Officer, Police Station - Gandhi Nagar, Ambikapur, District – Surguja, Chhattisgarh
3. Meena Sonwani @ Meenu Sonwani, D/o Shri Rajendra Prasad Sonwani, Aged About 21 Years, R/o Ita Bhatta, Bazarpara, Bhatgaon, Police Station - Bhatgaon, District Surajpur, Chhattisgarh

---- Respondents

For Applicant	Shri A. N. Bhakta, Advocate
For Respondent-State	Shri K. K. Singh, GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

16/06/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as he is apprehending his arrest in connection with Complaint Case No.1362/2018, registered by the JMFC, Surajpur, for the offence punishable under Sections 365, 376 (3-G), 388, 389, 498, 120-B, 195, 195 (A), 201, 205, 211, 212, 213, 217, 218, 219, 220, 221, 222, 225(A), 347, 348, 354 (A) & 354 (B) of IPC, Sections 25 & 27 of the Arms Act and Sections 3 (1) (3) (10), (11), (12) & 2 (6) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. One Meena Sonwani lodged private complaint alleging that she was married with Manoj Kumar Sonwani, S/o co-accused Rampyari, on 20.03.2012. She separated and started living separate from her husband since after 12.09.2012. Thereafter, she lodged a report of demand of dowry against her husband. In this private complaint, she is alleging commission of rape and other offences by her father-in-law Rampyari, the present applicant Surendra Singh Bagga, Suresh and Pravin.
3. Admittedly, Rampyari has been allowed anticipatory bail by this Court in MCRCA No.1019/2019.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering that the co-accused facing similar allegation has been released on anticipatory bail, the present application deserves to be allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions:-
 - (i) he shall make himself available for interrogation by a police officer as and when required.
 - (ii) 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 facts to the Court or to any police officer.

Sd/-

Prashant Kumar Mishra
Judge