

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 192 of 2020

- Kishore Soni S/o Late Mannalal Soni Aged About 38 Years R/o Village- Tarenga, Thana- Bhatapara (Gramin), Distt. Baloda Bazar- Bhatapara, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The Police Station- Bhatapara (Gramin), District- Baloda Bazar- Bhatapara, Chhattisgarh

---- Respondent

For Applicant	Mr. Deepak Jain, Advocate
For Respondent/State	Mr. Vikram Sharma, Dy. GA

Proceedings through Video ConferencingSB: Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board24/6/2020

1. Heard.
2. On the last date of hearing, the case diary was not available.
Today, learned counsel for the State again sought time to produce the case diary.

3. However, this Court is not inclined to grant any further time to the State to produce the case diary.
4. Heard learned counsel for the parties and perused the bail rejection order passed by the Sessions Court.
5. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.13/2020 registered at Police Station Bhatapara (Gramin), District Baloda-Bazar-Bhatapara (CG) for the offence punishable under Sections 498A, 506/34 of IPC.
6. It appears, after the dispute arose between the husband (applicant) and complainant-wife, a counselling was conducted, wherein, the complainant refused to live with the applicant. Moreover, the applicant has filed the previous report and thereafter, both the parties have indulged in lodging report(s) against each other.
7. Considering the entire facts situation of the case, I am of the opinion that present is a fit case, in which, the applicant should be extended the benefit of Section 438 of Cr.P.C.
8. Accordingly, the application is 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 for disclosing such facts to the Court or to any Police Officer.

9. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna