

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 414 of 2020**

1. Sharad Sharma S/o Late Shri Bhagwat Prashad Aged About 39 Years;
2. Smt. Indrani Sharma W/o Late Shri Bhagwat Prasad Sharma Aged About 68 Years;

Both R/o Village- Sankri, Tahsil- Takhatpur, District- Bilaspur, Chhattisgarh.

**---- Applicants****Versus**

- State Of Chhattisgarh Through District Magistrate Kabirdham, Through- Station House Officer, Kawardha, District- Kabirdham ,Chhattisgarh.

**---- Respondent**

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| For Applicants       | :- Mr. Kishore Bhaduri, Advocate      |
| For Respondent-State | :- Mr. Chandresh Shrivastava, Dy.A.G. |

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**Proceedings through Video Conferencing**

**Hon'ble Shri Justice Prashant Kumar Mishra**  
**Order On Board**

**29/06/2020**

1. The applicants have preferred this application for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.67/2020, registered in Police

Station Kawardha, District- Kabirdham for offence under Section 498A, 34 of the I.P.C.

2. Applicant No.1 was married with the complainant in the office of Collector, Bilaspur on 19.01.2011 thereafter they were married according to rituals on 24.02.2011. They have two children born in December, 2011 and August, 2016. The couple is residing separately since 19.08.2019.
3. According to the applicant no.1, his father died on 12.07.2019 which led to partition amongst the legal heirs. This event triggered dispute in the family and the complainant moved out of the house of the applicant. She thereafter lodged false complaint alleging demand of dowry, ill-treatment, misbehavior, etc.
4. Learned State counsel would oppose the prayer for anticipatory bail.
5. Considering that the marriage has taken place about 9 years back and they have two issues in the wedlock and further that allegations are general in nature and the offence is triable by JMFC, this Court is inclined to extend the benefit of anticipatory bail.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants, they shall be

released on anticipatory bail on each of them 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) they shall make themselves available for interrogation by a police officer as and when required;
- (ii) they 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

Ayushi