

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No.538 of 2020

Gangaram Sahu, S/o Late Shri Tularam Sahu, aged about 65 years, Caste-Sahu, Occupation-Agriculture, R/o Village Parsada Kala, P.S. Baradwar, Tehsil Sakti, District Janjgir-Champa Chhattisgarh.

Versus

State of Chhattisgarh, Through Police Station Baradwar, District Janjgir-Champa, Chhattisgarh.

For Applicant : Mr. Prakash Tiwari, Advocate.

For Respondent/State : Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/07/2020

1. The matter is heard through video conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 333/2019, registered at Police Station Baradwar, Distt. Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 498-A, 34 of the IPC.
3. In this case there are total three accused persons. The applicant is the father-in-law of complainant Nirmala. As per prosecution story, on 19.04.2018, marriage between the complainant and son of the applicant namely Chandraprakash was solemnized. On 13.12.2019, the complainant lodged an FIR against the applicant and other co-accused persons alleging therein that the applicant and other co-accused persons have tortured her on account of demand of dowry.

On the basis of said report, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that only general allegations have been against the applicant by the complainant. The complainant resided separately from them since 04.05.2018 and after lapse of 1 ½ years, she made a report. The Counsel further submits that other co-accused persons husband and mother-in-law of the complainant have already granted benefit of anticipatory bail by this Court. Hence, it is prayed that the applicant may also be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State oppose the bail application.
6. I have heard learned Counsel appearing for the parties and perused the material available with due care.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case and evidence collected by the prosecution. Without further commenting on merits of the case, I am inclined to grant benefit of anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant 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/her from disclosing such facts to the Court or to any police officer;

- III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicant 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