

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCa No. 1253 of 2020

1. Gajendra Kumar Sharma S/o Late Rajendra Prasad Sharma, Aged About 33 Years
2. Satyanarayan Sharma (Gopal), S/o Late Baleshwar Prasad Sharma, Aged About 31 Years

Both are R/o Village Charpara, P.S. Sakti, District Janjgir Champa Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station Sakti, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicants	Mr. Jeet Patel, Advocate
For Respondent /State	Mr. Ayaz Naved, Govt. Advocate
For Objector	Mr. Hari Agrawal, Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board25/11/2020

1. The applicants have preferred this application for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.228/2020, registered at Police Station Sakti, District Janjgir-Champa, for offence punishable under Sections 498-A read with Section 34 of the Indian Penal Code.

2. Applicant No.1 was married with the complainant on 22-2-2016.
3. On reading of the FIR lodged on 20-6-2020 and other material available in the case diary, it appears the dispute between the parties is more regarding compatibility vis-a-vis the preference of residence either at village of the applicant No.1 or at Raigarh. While the applicant No.1 is rendering his services at DIET [District Institute for Education and Training], Janjgir, earlier the complainant rendered her services in a private company, but later on presently working on contractual basis in the Health Department, Raigarh.
4. On the other hand, learned counsel appearing for the State as well as learned counsel appearing for the objector would oppose the bail application.
5. Demand of having gifted various articles in marriage and later on Rs.1.00 lac has been made, but there is no material evidencing demand of the said amount of Rs.1.00 lac or purchase of land by the applicant No.1 using the said amount. There are allegations and counter allegations by both the parties against each other, however, they are general in nature.
6. Considering the nature of allegations and for the fact that the applicant No.1 is a Government servant and he may suffer adversely in his service career if he is arrested and sent behind the bars and also considering the fact that the applicant No.2 is a relative of the applicant No.1, this Court is inclined to release the applicant on anticipatory bail.

7. 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/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- they shall make themselves available for interrogation by a police officer as and when required;
- 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.
- they shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri