

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1421 of 2020**

- Samir Khan S/o Shri Abdul Rahim Khan Aged About 40 Years Resident Main Road Keshkal, Revenue And Civil District Kondagaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bodhghat (Jagdalpur), District Bastar Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Sandeep Dubey , Advocate
For Respondent-State	:-	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**19/11/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.249/2020, registered at Police Station Bodhghat (Jagdalpur), District – Bastar C.G. for offence punishable under Sections 498 and 34 of the IPC.
2. Marriage between the applicant and the complainant was solemnized according to the Muslim customs and rituals on 25.05.2014. She gave birth to a girl child on 21.02.2015. As per the FIR lodged on 20.08.2020, the complainant was subjected to mental and physical cruelty by the applicant and his relatives soon after the marriage. Various instances

of cruelty have been narrated in the FIR, however, the dates on which such incident took place have not been mentioned. They are residing separately since 03.09.2014.

3. Considering the delay in lodging the FIR and for the fact that the offence is triable by the JMFC and also considering the fact that custodial interrogation of the applicant does not seem to be necessary, this Court is inclined to extend the benefit of anticipatory bail.
4. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on 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;
- (iii) the applicant shall not influence the witnesses during pendency of the trial.

SD/-
(Prashant Kumar Mishra)
Judge

Gowri