

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1666 of 2019

- Kamal Kishore Dubey S/o Shri Bihari Lal Dubey Aged About 30 Years R/o Kachhwaha Chal, Near Seepat Chowk, Police Station Sarkanda, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Thana Incharge Mahila, Thana Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Amit Singh, Advocate.
For Respondent/State	: Mr. Shubham Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

22/01/2020

1. 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. 21/2019, registered at Police Station Mahila Thana, Distt. Raipur (C.G.) for the offence punishable under Sections 498(A)/34 of the IPC.
2. As per prosecution story, the applicant is the husband of complainant Neetika Dwivedi, their marriage was solemnized on 07.05.2015. On 30.08.2019, the complainant made a written complaint before the concerned Police Station alleging therein that after her marriage, the applicant and his family members tortured her physically and mentally on account of demand of dowry. On the basis of said complaint, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the crime

in question. Virtually, the applicant and the complainant performed love marriage, therefore, no question of demand of dowry can be arise. He further submits that due to some hot talk between both of them, a false report has been lodged by the complainant. At present also, the applicant wants to live with the complainant. The Counsel finally submits that other co-accused persons have already granted benefit of bail, the applicant is a reputed person of his society, he is the permanent resident of above mentioned address and there is no change of his absconding, therefore, he may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties, without further commenting on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 20,000/- with one 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 the accused/applicant shall make 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