

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1862 of 2019**

- Roshan Lal Sonkar S/o Ramchandra Sonkar, Aged About 28 Years Caste-Sonkar, R/o Village- Nevarikala, Police Station and Tahsil- Balod, District-Balod, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station-Balod, District- Balod, Chhattisgarh.

---- Respondent

For Applicant : Shri B.P. Singh, Advocate.

For Respondent/State : Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****30/01/2020**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 479/2019 registered at Police Station Balod, District – Balod, (C.G.) for the offence punishable under Sections 498-A, 506-B read with 34 of Indian Penal Code.
2. As per the prosecution story, applicant is the husband of complainant Monika Sonkar. Their marriage was solemnized on 06.02.2018. On 06.11.2019, a report was lodged by the complainant alleging therein that after her marriage, present applicant and other family members used to harass and torture her on account of demand of dowry. After marriage, the complainant got pregnant and begot a child. The applicant refused to be the father of said child and asked the complainant to leave the house. Then she left her in-laws house and went to her parental house. On 03.11.2019 the family members of complainant brought her back to her in-laws house. Thereafter, applicant threatened the complainant and commit mar-pit with her and

expelled her from the house. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some dispute with the complainant. He further submits that only general allegations have been leveled against the applicant by the complainant. Applicant is a government servant and other co-accused persons have already been granted anticipatory bail by Sessions Court. Looking to the above, it is prayed that applicant may also be released on anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that other co-accused persons have already been granted anticipatory bail by Sessions Court, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on his furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) 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/her from disclosing such fact to the

Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He 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

Prakash