

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2007 of 2019

Suneel Kumar Das S/o Manmohan Das Aged About 40 Years R/o House No. 94/2, V.I.P. Nagar, Maitri Nagar Risali, Bhilai, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Sirgitti, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate.

For Respondent/State : Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

21/05/2020

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. 399/2019, registered at Police Station Sirgitti, Distt. Bilaspur (C.G.) for the offence punishable under Section 498-A/34 of the IPC.
2. In this case there are total 3 accused persons. The applicant is the husband of complainant Shashi Manikpuri and the other co-accused persons are the father-in-law and mother-in-law of the complainant. Marriage between the complainant and the applicant was solemnized on 25.06.2018. On 13.11.2019, a written complainant has been filed by the complainant alleging therein that after her marriage, the applicant and the accused persons tortured her on account of demand of dowry. Earlier also, the complainant has filed a complaint before *Mahila Thana* and on the basis of that complaint, counseling proceeding was also conducted between the parties which was failed. Thereafter, the present complaint has been filed by the complainant.
3. 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 virtually the complainant left her laws house due to some dispute with the applicant and other co-accused persons. The counsel further submits that on 01.11.2019, the applicant has filed a

complaint against the complainant thereafter a false and fabricated report has been lodged by the complainant against the applicant. The Counsel further submits that both the parties have filed a divorce petition before the competent authority which is still pending. The Counsel finally submits that other co-accused persons have already granted benefit of anticipatory bail by the Sessions Court. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of the 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 other merits of the case, in my considered opinion, it is a fit case for 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. 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