

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 42 of 2021**

- Nitin Kumar Anand Aujagalle S/o Suraj Prasad Aujagalle Aged About 30 Years Occup. Educated Unemployed (Dr. Bsms), Caste Sc, R/o Village Chandagarh, Thana Pathalgaon, District Jashpur Chhattisgarh And At Present He Is Residing At R/o Soantarai, Thana And Tehsil Sitapur District Surguja Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Respondent

For Applicant	: Shri Sanjay Agrawal, Advocate
For Respondent/State	: Shri Vimlesh Bajpai, GA

Hon'ble Smt. Justice Rajani Dubey**Order On Board by virtual hearing****11/06/2021**

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 279/2020 registered at Police Station Pathalgaon, district Jashpur (CG) for the offence punishable under Sections 323, 498-A IPC and Section 4 of the Dowry Prohibition Act..

Case of the prosecution in brief is that marriage of the complainant and applicant was solemnized on 16.05.2019 and two

months after marriage, the applicant used to harass her for demand of dowry.

Contention of the counsel for the applicant is that the applicant have been falsely implicated in the present case. He further submits that there was delay of one year in lodging the FIR and there are general allegations against the applicant. He submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his executing a personal bond in sum of Rs. 25,000/- with one surety to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicant shall make himself available for interrogation/ medical examination before the concerned investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the

facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that 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/-

(Rajani Dubey)
Judge