

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

(Proceedings through Video Conferencing)

MCRCA No. 321 of 2021

- Narmada Prasad Mishra, S/o Teejram Mishra, Aged About 51 Years, R/o Syahimudi, Post Jamnipali, Thana- Darri, District-Korba, Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh, Through- Chauki Prabhari, Police Station Darri, District- Korba, Chhattisgarh.

---- Non-Applicant

For Applicant	:	Shri Vikas Pandey, Advocate
For Non-Applicant/State	:	Shri Rakesh Sahu, Dy.G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

28.05.2021

Heard.

- 1) The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 150/2020, registered at Police Station Darri, District- Korba for offences punishable under Section 498-A read with Section 34 of the IPC.
- 2) Case of the prosecution, in brief, is that the complainant Tarkeshwari Mishra was married to Sanjeev Shukla on 15.05.2019 and she was subjected to mental and physical cruelty in connection with demand of dowry in the form of cash amount of Rs. 3 lakhs, therefore, she lodged report against the present applicant and other persons.

- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he further submits that the co-accused persons namely Anruddha Prasad Shukla @ Aniruddha Prasad Shukla, Gangadevi Shukla and Satyabhama Shukla have already been granted bail vide order dated 18.02.2021 and 03.02.2021 in MCRCA Nos. 1258 and 1495 of 2020. It is further submitted that there are no specific allegations made against the present applicant, the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding and due to COVID-19 situation the trial of the case is likely to take some time for its final disposal. Therefore, the applicant be released on bail by this Court.
- 4) On the other hand, learned counsel for the Non-Applciant/State opposes the bail application and submits that the applicant has no criminal antecedents.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, co-accused persons have already been granted bail by the co-ordinate Bench of this Court, the fact that the applicant has no criminal antecedents, there is no likelihood of the applicant tampering with the prosecution evidence or absconding as admitted by both the counsels and looking to the COVID-19 situation conclusion of trial may take some time, without commenting anything on merits of the case, I am inclined to release him on anticipatory bail.
- 6) Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his 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:-

(a) 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 fact to the Court.

(b) he shall not act in any manner which will be prejudicial to fair investigation and expeditious trial, and

(c) he shall make himself available for interrogation by a police officer as and when required.

Sd/-
(Gautam Chourdiya)
Vacation Judge

Nadim