

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 370 of 2021**

- Dr. Jitendra Tamrakar, S/o Bhagwat Tamrakar, Aged About 36 Years, R/o Ward No. 13 Tamer Para Dhamdha, District Durg Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer Police Station Mahila Thana Sector 6 Bhilai District Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rahil Arun Kochar, Adv.
For Respondent/State	: Mr. Roshan Dubey, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 19/2021 registered at Police Station- Mahila Thana Sector 6 Bhilai, District- Durg (C.G.) for commission of the offence punishable under Sections 498 (A), 34 of IPC.
3. Case of the prosecution is that, marriage between the complainant and the applicant was solemnized on 23.02.2018 and after three months of marriage, her in-laws used to harass the complainant mentally and physically for demand of dowry. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is delay in lodging an FIR against the applicant and no antecedent has been registered

against the present applicant. He next added that there is no specific allegation against the applicant, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail submitting that there is a serious allegation of demand of dowry, therefore, no case is made out to release him on anticipatory bail.
6. After hearing counsel for the parties and considering the totality of the facts and circumstances of the case, quality of evidence, in particular there is no antecedent registered against the present applicant, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one local surety for the like sum 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 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 or 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**