

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 483 of 2021**

- Harinarayan Sahu, S/o Shri Nashik Ram Sahu, Aged About 35 Years R/o House No. 91, Nirmal Para, Rasmada, Tehsil And District Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - District Magistrate Durg District Durg, Chhattisgarh

---- Respondent

For Applicant : Shri A.C. Sahu, Advocate

For Respondents/State : Ms. Astha Shukla, PL

Hon'ble Shri Justice Goutam Bhaduri**Order****30/07/2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant apprehending his arrest in connection with Crime No. 27/2021 registered at Police Station Mahila Thana, Bhilai, District Durg, C.G. for the offence punishable under Sections 498-A, 34 of IPC.
3. As per the prosecution case, the victim and the applicant were married on 25.04.2019. Subsequently, the victim was subjected to torture and mental cruelty for demand of dowry. Eventually, a report was made on 25.02.2021. Thereby the offence is committed.
4. Learned counsel for the applicant would submit that the records of the counseling and the documents which are placed on record would show that the complainant was a christian and she was married to hindu, therefore, they were not compatible. He would further submit that after the goods were returned to

her thereafter the report was made and the false allegations have been made, therefore, the applicant may be given the benefit of anticipatory bail.

5. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail and read out the statement of the complainant.
6. Perused the documents. After the report the counseling was conducted. Having considered the statement, which was made during the counseling it appears that on a trivial issue the omnibus allegations have been made. Considering the same and the facts & circumstances of the case and the contents of the counseling conducted on a different period of time, I am inclined to allow this anticipatory bail application.
7. Accordingly, the anticipatory bail 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.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) that the applicant shall make himself available for interrogation before the investigation 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 so 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 them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu