

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 487 of 2021**

Jyoti Bhargav D/o Santosh Bhargav, Aged About 27 Years R/o Sitamani Korba, Tahsil And District Korba (Chhattisgarh) Present Address- Primary Health Center, Jatga, Staff Nurse Quarter, Tahsil Pondi Uroda, District Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Balco, District Korba Chhattisgarh

---- Respondent

For applicant – Shri Dharmesh Shrivastava, Advocate.
For Respondent/State –Shri Anmol Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****10/08/2021**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending her arrest in connection with Crime No.54/2021 registered at Police Station Balco, District Korba (C.G.) for offence punishable under Sections 498-A, 34 of IPC.
2. As per the prosecution case, one Kumodani Bala was married to Bhupendra Kumar on 24/06/2020. Subsequently it is alleged that on 14/10/2020 husband alongwith the other family members including the present applicant who is sister-in-law demanded car, AC and Rs.two lakhs as a dowry and she was subjected to cruelty, therefore she has left her matrimonial home and the report was eventually made in the month of November.
3. Learned counsel for the applicant submits that the applicant is working as a nurse and is posted 80 kms away from the place of incident which is alleged. It is further submitted that only omnibus allegations have been made, the complainant herself has left the house and only for four months she lived in the matrimonial house that too when the applicant was not there, therefore

the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail and read out the statement of the complainant.

5. Having considered the statement of the complainant, it appears that omnibus allegations have been made. Taking into such nature of allegation, since it has been stated that the applicant is working as a nurse and is a lady, therefore I am inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

- (i) that the applicant shall make herself available for interrogation before the 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 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) the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Goutam Bhaduri)
JUDGE