

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 482 of 2021**

- Ramdhan Sahu S/o Garjan Prasad Sahu Aged About 31 Years R/o Village- Dongari, Police Station- Baloda, District- Janjgir- Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through- District Magistrate, Durg, Chhattisgarh. Mahila Police Station- Durg, Chhattisgarh.

---- Non-applicant

For Applicant : Shri Sumit Singh, Advocate.

For Non-applicant : Shri Ravi Kumar Bhagat, Dy. Government Advocate

Hon'ble Shri Justice Narendra Kumar Vyas

Order On Board**28.05.2021**

1. The applicant has preferred this first bail application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 12/2021 registered at Mahila Police Station Durg District - Durg (C.G.), for offence punishable under Sections 498(a), 506, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief is that the applicant married complainant on 17.05.2019. She left for her parents house at Durg on 06.03.2020 and returned on 08.07.2020. Thereafter, she lodged report against the applicant and also her in-laws for demand of dowry and intimidation.
3. Learned counsel for the applicant submits that the applicant is apprehending his arrest in connection with crime No. 12/2021, there is no other criminal case against him, the allegation leveled against him is general in nature, no serious allegation has been leveled against the applicant, therefore, he is entitled to be

granted anticipatory bail.

4. Learned counsel for the applicant further submits that father of the applicant Garjan Prasad Sahu, mother of the applicant Rukhmani Bai Sahu and brother of the applicant Vishnu Sahu who have also been implicated in the complaint case by the complainant has already been granted anticipatory bail by the learned 6th Additional Sessions Judge, Durg on 25.02.2021.
5. On the other hand, learned counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and also perused the case diary.
7. The allegations leveled by the complainant is of general nature, the Challan has not been submitted by the police, the investigation may take some time, therefore, looking to the gravity of the allegations, the offence is triable by the Magistrate First Class, I am inclined to give benefit of Section 438 of the Cr.P.C. to the applicant.
8. Consequently, the M.Cr.C.(A) is allowed.
9. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one 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 himself available for interrogation before the concerned police officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat undue influence to the prosecution witnesses.
 - (iii) 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.
10. Certified copy as per rules.

Sd/-

(Narendra Kumar Vyas)
Vacation Judge