

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC (A) No. 954 of 2021**

Ramji Sahu S/o Pardesi Sahu, Aged About 34 Years, R/o E-4, Vrindawan Colony, Kachna Road Shankar Nagar, Police Station -Khamhardih, District -Raipur, Chhattisgarh.

---- Applicant

**Versus**

State of Chhattisgarh Through The Station House Officer, Police Station -Balod, District -Balod, (Chhattisgarh).

--- Respondent

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| For Applicant        | : Mr. K.K. Pandey, Advocate. |
| For Respondent-State | : Mr. Roshan Dubey, PL.      |

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**(Proceedings through video conferencing)**  
**Hon'ble Shri Justice Parth Prateem Sahu**  
**Order on Board**

**19/08/2021**

Heard.

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.226/2021 registered at Police Station –Balod, District -Balod, (CG), for the offence punishable under Sections 498(A), 34 of the Indian Penal Code.
2. Today case is listed on default of non-filing of certified copy of impugned order.
3. Learned counsel for the applicant submits that on 17.08.2021 he has placed certified copy of impugned order on record.
4. In view of above, (IA No.1/2021), application for exemption from filing certified copy of impugned order is dismissed and defaults pointed out by the Registry is overruled.
5. Case of the prosecution, in brief, is that 26.04.2021 complainant got married with applicant and started living in her matrimonial house. After few days of marriage, applicant and his family members started ill-treating, harassing and assaulting her on the ground that she has not brought appropriate dowry at the time of marriage. Due to which,

complainant went to her parental house on 02.07.2021, thereafter on 08.07.2021 written report was lodged based upon which, FIR is registered against applicant and his family members ie father-in-law, mother-in-law and two sisters-in-law.

6. Learned counsel for the applicant submits that allegations levelled against applicant and his family member are absolutely false and frivolous. It is complainant, who could not able to adjust herself in her matrimonial house due to which dispute took place on trivial issues between complainant and her in-laws. She time and again left her matrimonial house and went to parental house. Complainant has not made any complaint of ill-treating, harassing or assaulting to anyone else or before Community. In fact, looking to conduct and activity of his wife, applicant has submitted an application before the Community, Khamardeeh. Based upon which, meeting was organized on 03.01.2021 where complainant alongwith her parents appeared and given assurance that she will reside with applicant and after meeting she was residing in her matrimonial house. But after few months, she again left her matrimonial house with her own and went to parental house. Hence, applicant may be enlarged on anticipatory bail.
7. Learned counsel for the State opposes the submissions made by learned counsel for applicant and submits that there are serious allegation of ill-treatment, harassments and assault against applicant and his family members. He read over written complaint as well as statements of complainant and her mother recorded under Section 161 of Cr.P.C. in support of his contention.
8. Heard learned counsel for the parties.
9. Considering the entire facts and circumstances of case, nature of

allegation, contents of complaint, period of marriage, statements of complainant and her mother recorded under Section 161 of Cr.P.C where allegations levelled against applicant and his family members are general and omnibus, without commenting anything on merits of this case, I am inclined to grant anticipatory bail to applicant.

10. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with crime in question, 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 Arresting Officer. Applicant shall also abide by the following conditions :

- (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that 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 from disclosing such facts to the Court or to any police officer;
- (iii) that applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that applicant shall appear before the trial Court on each and every date given to him by said Court till disposal of the trial.

**Sd/-**  
**(Parth Prateem Sahu)**  
Judge

Jamal/-