

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1606 of 2020**

- Praveen Kant, S/o Shri Parasnath, aged about 42 years, R/o village Shivnandanpur, Police Station Vishrampur, Tehsil and District Surajpur (C.G.)

---- Applicant**Versus**

1. State of Chhattisgarh - Through : Station House Officer, P.S. Ajak Surajpur, District Surajpur (C.G.)
2. The Station House Officer - Through : Police Station Gandhi Nagar, Ambikapur, District Surajpur (C.G.)
3. Meena Sonwani @ Meenu Sonwani, D/o Shri Rajendra Prasad Sonwani, aged about 21 years, R/o Ita Bhattha, Bazarpara, Bhatgaon, Police Station Bhatgaon, District Surajpur (C.G.)

---- Respondent.

For Applicant : Mr. Sushil Dubey, Advocate.
For Respondent. : Ms. Anjali Singh Chouhan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/03/2021**

1. 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 Complaint Case No.1362/2018 pending before JMFC, Surajpur, District Surajpur (C.G.) for the offence punishable under Section 376-D of Indian Penal Code.
2. One Meena Sonwani lodged private complaint alleging that she was married with Manoj Kumar Sonwani, S/o co-accused Rampyari on 20.03.2012. She separated and started living separate from her husband since after 12.09.2012. Thereafter, she lodged a report of demand of dowry against her husband. In this private complaint, she is alleging

commission of rape and other offences by her father-in-law Rampyari, the present applicant Praveen Kant, Surendra Singh Bagga and Suresh.

3. Learned counsel for the applicant submits that similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 25.11.2019 passed in MCRC(A) Nos.1019/2019 and order dated 16.06.2020 passed in MCRC(A) No.122/2020, therefore, the present applicant may also be granted benefit of anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail.
5. Having considered the orders passed by this Court in MCRC(A) Nos.1019/2019 and MCRC(A) No.122/2020 and looking to the nature of allegation against the applicant, which is similar that of the co-accused persons, this Court is inclined to released the applicant on anticipatory bail.
6. 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 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/medical examination 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 of 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

pkd