

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8144 of 2020**

- Anand Pursnani S/o Ramesh Pursnani Aged About 31 Years R/o 29/13, South Tukoganj Hotel, In Front Of Princes Palace, North Mandir Road, Indore (M.P.)

**---- Applicant****Versus**

- State Of Chhattisgarh Through Station House Officer, Mahila Thana, Raipur District Raipur Chhattisgarh

**---- Respondent**


---

|               |   |                                                               |
|---------------|---|---------------------------------------------------------------|
| For Applicant | : | Shri Sachin Singh Rajput and Shri Sharad Mishra,<br>Advocates |
| For State     | : | Shri Anurag Verma, Panel Lawyer                               |
| For Objector  | : | Shri Lukesh Mishra, Advocate                                  |

---

**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****26/02/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.55/2020 registered at Police Station – Mahila Thana, Raipur, District – Raipur (C.G.) for alleged commission of offences under Section 498-A/34 of IPC.
2. It is alleged that the applicant used to torture and harass his wife in many ways and thus, subjected her to cruelty.
3. Learned counsel for the applicant would submit that the allegations against the applicant are false and fabricated. He would submit that there were certain dispute going on between the husband and the wife and later on, report has been lodged against him. It is submitted that investigation is complete, charge sheet has been filed and the applicant is in jail since 30/10/2020 and as offence under Section 498-A of IPC is punishable with maximum sentence of three years, at this stage, the applicant may be granted bail.

4. On the other hand, learned State counsel and counsel for the objector opposes bail and submits that the report and material which has been collected during investigation and statement of the victim clearly shows severe cruelty in many ways. Therefore, a *prima facie* case is made out and the applicant may not be granted bail.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that investigation is complete, charge sheet has been filed and the applicant is in jail since 30/10/2020 and that offence under Section 498-A IPC is punishable with a maximum sentence of three years, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-  
( **Manindra Mohan Shrivastava** )  
**Judge**