

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1662 of 2020**

- Mukesh Soni S/o Ramphal Soni Aged About 30 Years, R/o- Village- Sendri Avaspara, P.S.- Koni, District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : P.S. Koni, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vivek Sharma, Adv.
For Respondent/State	: Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/04/2021**

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 Crime No. 210/2020 registered at Police Station- Koni, District- Bilaspur (C.G.) for commission of the offence punishable under Sections 498-A/34 of IPC.
2. Prosecution case is that, the present applicant and the complainant are married couples, they tied knots with each other on 14.05.2019, after which the complainant went with the applicant to her matrimonial residence, after staying for few days, the present applicant and his parents started tormenting the complainant for demand of dowry, thereafter the complainant inscribed an FIR against the present applicant and her in-laws.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that the complainant pressurized to the applicant to live separately from his parents and the complainant was also used to abuse the applicant on whatsapp a copy of relevant conversation is attached herein with the

application as annexure-A/4. It is also submits that the applicant was tried to file a complaint against the complainant but the police authorities instead of registering the complaint stated the applicant that it is a matrimonial dispute therefore they cannot do anything. After losing all hope from the police authorities, the applicant wrote to the superintendent of police, Bilaspur raising his contentions about the harassment and tormenting from the complainant, therefore, the present applicant may be granted anticipatory bail.

4. On the other hand, counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular nature of case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. 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 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 or 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