

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1796 of 2020**

- Bhupendra Uikey, S/o Late Shri Radheyshyam Uikey, Aged About 28 Years, R/o Forest Colony Kumharpara Jagdalpur, District- Bastar (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through: The Police Station Kotwali, District- Bastar (C.G.).

---- Respondent

For Applicant	: Mr. P. K. Tulsyan, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2021**

1. The matter is heard through video conferencing.
2. 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. 489/2020 registered at Police Station- Kotwali, District- Bastar (C.G.) for commission of the offence punishable under Section 306 of IPC.
3. Case of the prosecution is that, it has been alleged that present applicant used to harass the deceased mentally and physically on account of demand of dowry, as a result of which, she committed suicide by hanging herself. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is no direct allegation of demand of dowry against the applicant and there is no any evidence which shows the involvement of the applicant in this offence. He next added that FIR is also registered after laps of 2

years and 9 months of the date of incident, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the 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**