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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.(A) No. 323 of 2018**

- Dilip Kumar Sahu, S/o Late Shri Bhakku Sahu, Aged about 43 years, R/o Nayapara, Sirgitti, P.S. Sirgitti, Civil & Revenue District Bilaspur (CG)

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

- State of Chhattisgarh, through the Station House Officer. Police Station - Sirgitti, Civil & Revenue District Bilaspur (CG)

**---- Non-applicant**


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For Applicant	:	Mr.Vinod Tekam, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****30/04/2018**

1. Apprehending arrest in connection with Crime No.65/2018, registered at Police Station - Sirgitti, Civil & District – Bilaspur (CG), for the offence punishable under Section 498-A of the IPC, the applicant has filed this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that the applicant being husband of the complainant Smt. Chhaya @ Sarita Sahu, treated her with cruelty and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in crime in question, the complainant herself voluntarily left

the matrimonial house on 15-09-2017, therefore, he may be granted anticipatory bail.

4. On the other hand, learned State counsel would oppose the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of offence, the material available on record and it is purely matrimonial dispute arose between the parties, this Court is inclined to extend the benefit of anticipatory bail in favour of the applicant.
7. Accordingly, this application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating/ Arresting Officer. The applicant shall also abide by the following conditions:-
  - (i) that he shall make himself available for interrogation before the concerned Arresting/Investigating Officer as and when required;
  - (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to the person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall also appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-**  
**(Sanjay K. Agrawal)**  
**JUDGE**

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