

The High Court Of Madhya Pradesh**MCRC-16476-2019***(AMIT RATHORE Vs THE STATE OF MADHYA PRADESH)***Jabalpur, Dated : 30-04-2019**

Shri Jitendra Jain, counsel for the applicants.

Shri Ajay Tamrakar, P.L. for the respondent / State.

Heard with the aid of case diary.

This is first bail application filed by applicant Amit Rathore under Section 438 of CrPC for grant of anticipatory bail. Applicant apprehends his arrest in connection with Crime No. 08/2019, registered at P.S. "Mahila Thana Sagar, District "Sagar under Sections 498-A, 34 of IPC and Section 3/4 of the Dowry Prohibition Act.

As per the prosecution story, complainant Namrata Rathore, wife of applicant Amit Rathore, lodged a report at police station Kotwali, Distt Raisen averring that her marriage was solemnized on 18.04.2016. Thereafter, she lived with co-accused Anil Rathore and Smt. Sarita Rathore, who are maternal uncle and aunt (Phufa Sasur and Bua Saas) and Shweta sister-in-law, Pratul Rathore, brother-in-law (Nandoi), Kusum Bai, mother-in-law, Vineet Rathore, brother-in-law (Jeth) and applicant Amit Rathore, husband of the complainant respectively. They demanded Rs. 20 lakhs and used to harass her.

Learned counsel for the applicant submitted that applicant is innocent and has falsely been implicated in this case. The allegation regarding demand of dowry are general in nature. Applicant is ready to cooperate in the investigation and trial. In the event of arrest, his reputation will be ruined. Under these circumstances, applicant prays for anticipatory bail.

Learned counsel for the State opposed the prayer.

Looking to facts and circumstances of the case and as to the fact that the allegation regarding demand of dowry are general in nature, so without commenting on merits of the case, the application is allowed. It is directed that in the event of arrest by Police in the aforesaid case, the applicant Amit

Rathore shall be released on bail on his furnishing personal bond in the sum of Rs.50,000/- (Rs.Fifty thousand only) with a solvent surety each in the like amount to the satisfaction of the Arresting Officer for his regular appearance before the Police during the investigation or before the Court during trial.

This order will remain operative subject to compliance of the following conditions by the applicant :-

- 1.The applicant will comply with all the terms and conditions of the bond executed by him;
- 2.The applicant will cooperate in the investigation/trial, as the case may be;
- 3.The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant shall not commit an offence similar to the offence of which he is accused;
- 5.The applicant will not seek unnecessary adjournments during the trial; and
- 6.The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the concerned Station House Officer for compliance.

C.C. as per rules.

(RAJEEV KUMAR DUBEY)
JUDGE

m/-