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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1574 of 2021

- Manoj Maurya S/o Lt. Ram Kumar Aged About 24 Years R/o House No. 91, Block K, Prem Nagar 2, Kilari Suleman Nagar, Delhi, District : New Delhi, Delhi

---- Applicant

Versus

State Of Chhattisgarh Through S H O, Police Station Mahila Thana, District Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Non-Applicant

For Applicant	:	Shri Aman Pandey, Advocate
For State	:	Shri Priyanshu Gupta, Panel Lawyer.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

24/01/2022

- 1) The matter is heard through Video Conferencing.
- 2) The applicant has preferred this First Bail Application under Section 438 of Cr.P.C. as he is apprehending his arrest in connection with Crime No. 54/2021 registered at Police Station Mahila Thana, Durg, District Durg (C.G.) for the offence punishable under Sections 498A, 34 of Indian Penal Code.
- 3) As per the prosecution case marriage of the complainant was solemnized with the applicant on 08/06/2019 and soon after the marriage she was being tortured and harassed mentally and physically on different occasion by the present applicant and other co-accused persons in connection with demand of dowry. On report being lodged to the above effect, the offence has been registered against the present applicant.
- 4) Learned counsel for the applicant submits that the applicant is innocent person and has been falsely implicated in this case. He



submits that no demand of dowry was ever made by the applicant. He also submits that three co-accused persons namely Rekha Maurya, Omkar Maurya and Indrawati Maurya have been granted anticipatory bail by the trial Court. He submits that applicant is ready to abide by all such conditions as may be imposed by this Court while granting anticipatory bail.

5) On the other hand, learned counsel for the respondent/State opposes the bail application.

6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation against the present applicant and fact that other co-accused persons namely Rekha Maurya, Omkar Maurya and Indrawati Maurya have already been granted anticipatory bail by the trial Court on 13/09/2021 & 30/10/2021 respectively, the applicant has no criminal antecedent, there is no requirement of custodial interrogation of the applicant and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 Pandemic, conclusion of trial is likely to take some time for disposal, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case for granting anticipatory bail to the applicant. Accordingly, the application is allowed.

7) It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on bail by the Arresting Officer on his furnishing a personal bond for a sum of **Rs. 1,00,000/-** with two sureties of Rs. 50,000/- each to the satisfaction of the Arresting Officer. Applicant shall be released on bail on the following conditions:-

- i. he shall make himself available for interrogation before the Police as and when required,
- ii. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts



of the case so as to dissuade him from disclosing such fact to the Court or to the Investigating Officer,

- iii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iv. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- v. he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- vi. he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.



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Sd/-
(Gautam Chourdiya)
Judge