

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 473 of 2015

1. Saddam Hussain S/O Mohd. Sakur, Aged About 23 years R/O Village Datima, P.S. Vishrampur, Chowki Karanji, Tahsil & District Surajpur Chhattisgarh
2. Bhounsa @ Ibrahim S/o Mohd. Sakur Aged About 28 Years R/O Village Datima, P.S. Vishrampur, Chowki Karanji, Tahsil & District Surajpur Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : S.H.O. P.S. Vishrampur, Chowki Karanji, Tahsil & District Surajpur Chhattisgarh

---- Respondent

For Applicants. Mr. Shyam Sunder Tekchandani, Advocate
For Respondent /State Ms. Shubha Shrivastava, Panel Lawyer

Order On Board

30/06/2015

Heard.

1. The applicants are apprehending their arrest in connection with Crime No.75/2015 registered at Police Station-Vishrampur, Chowki Karanji, Tahsil & District-Surajpur (C.G.) for alleged commission of offence under Sections 498(A) of IPC.
2. Case of the prosecution is that the applicant No.1 husband and applicant No.2 brother-in-law and other co-accused, harassed the complainant in connection with demand of dowry and it is alleged that she was subjected to cruelty and she is not being returned to matrimonial house in the name of demand of cash.
3. Learned counsel for the applicants submits that due to various disputes between husband and wife, the wife has already left the matrimonial house and she is residing with her parents in the parental house and now at this stage, FIR has been lodged.
4. On the other hand, learned State counsel opposes prayer and submits that allegation of physical violence has also been leveled against the applicants.

5. Taking into consideration the submission of learned counsel for the parties, the statement made by the complainant particularly taking into consideration that the FIR has been lodged at the time when the complainant is residing in her parental house and no specific injury is reported or found in her examination, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicants shall abide by all the following terms and conditions-

- i. that they shall make themselves available for interrogation by a Police Officer as and when required;
- ii. that they 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 them from disclosing such facts to the Court or to any Police Officer.
- iii. that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava

JUDGE