

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 513 of 2015

Tikeshwar Das Vaishnav S/o Sheetal Das Vaishnav ,Aged About 27 years
R/o Village Khapridih, P.S. Gidhuri, District Balodabazar-Bhatapara,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh through: Aarakshi Kendra Gidhuri, District
Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

and

MCRCA No.517 of 2015

1. Sheetal Das Vaishnav S/o Ganesh Das Vaishnav Aged About 52 years
2. Dokri Bai W/o Sheetal Das Vaishnav Aged About 45 Years
3. Ganesh Das S/o Krishnodas Aged About 65 Years
4. Neelam Das S/o Sheetal Das Vaishnav Aged About 22 Years
5. Pushplata W/o Neelam Das Vaishnav Aged About 22 Years

All R/o Village Khapridih P.S. Gidhuri, District Balodabazar-Bhatapara,
Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through: Aarakshi Kendra Gidhuri District
Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

For Applicants	:	Shri Arvind Shrivastava, Advocate
For Respondent/State	:	Smt. Shubha Shrivastava, Panel Lawyer

Order On Board

03/07/2015

The aforesaid bail applications (i.e.M.Cr.C.(A)Nos.513 & 517 of 2015) are

being decided by a common order, as both the applications are arising out of the same crime number i.e.88/2015, registered at Police Station Aarakshi Kendra Gidhauri, District Balodabazar-Bhatapara for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code.

2. Case of the prosecution is that the applicants, who are husband, father-in-law, mother-in-law, brother-in-law, Sister-in-law and grand-father-in-law harassed and subjected the complainant to cruelty in connection with demand of dowry.

3. Learned counsel for the applicant submits that the allegations leveled against the applicants are exaggerated. He also submits that actually the dispute is between the husband and wife, due to which, the complainant went back to her parental house along with her father, after writing a letter dated 22-04-2014 that she is voluntarily leaving her matrimonial house along with her father. The said document has been seized by the police during the course of investigation. He lastly submits that in this case, FIR has been lodged after more than one year.

4. On the other hand, learned State counsel submits that the complainant has clearly stated in her statement that she was subjected to cruelty in many ways and subjected to physical violence.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the report has been lodged after one year of coming back to the parental house and there is no specific injury report, I am inclined to grant bail to the applicants.

6. Accordingly, the application (M.Cr.C.(A)No.513 & 517 of 2015) is allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail on each of them furnishing a personal bond for a sum of Rs.20,000/ with one local surety in the like sum to the satisfaction of the arresting officer, on the following conditions that:

(I) they shall make themselves available for interrogation by a police officer as and when required;

(ii) 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 him from disclosing such facts to the Court or to any police officer, *and*

(iii) they shall cooperate with the investigation as and when they are called.

Sd/-

Manindra Mohan Shrivastava
Judge

Tumane