

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 516 of 2015

Smt. Chandarwati Kanyari W/o Shri Baldeo Kanyari Aged About 70 years
R/o Village- Phupgaon, P.S. And Tahsil- Pharsgaon, District- Kondagaon,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Police Station- Pharsgaon, District-
Kondagaon, Chhattisgarh

---- Non-applicant

For Applicant/s : Shri Avinash K. Mishra, Adv.
For Non-applicant / State : Ms. Shubha Shrivastava, Panel Lawyer

Order On Board

08/07/2015

Heard.

The applicant is apprehending her arrest in connection with Crime No.70/2015 registered at Police Station – Pharsgaon, Distt.-Kondagaon, CG. for alleged commission of offence under Section 498-A, 306, 511 R/w 34 of IPC.

2. Prosecution case is that due to harassment and cruelty, the complainant attempted to commit suicide by consuming rat killer.

3. Learned counsel for the applicant submits that though there might be some dispute between the applicant and the complainant, the allegations are exaggerated. It is submitted that the applicant has not given any assault. The dispute was mainly between the husband and the wife due to which the complainant might have consumed poison. He submits that the applicant is aged about 70 years, she is not likely to abscond or tamper with the prosecution witnesses and her custodial interrogation is not necessary. It is also submitted that the husband of the complainant has already been arrested.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the complainant has clearly stated that her husband and mother-

in-law (present applicant) was harassing her.

5. Taking into consideration the submission of learned counsel for the parties particularly taking into consideration that mother-in-law has been involved along with the husband of the complainant and that the applicant appears to be an old aged lady, I am inclined to grant anticipatory bail to the applicant.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail on her 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 applicant shall abide by all the following terms and conditions -

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

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge