

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 576 of 2015

1. Mamanchand Agrawal S/o Ramkumar Aged About 59 years R/o Saraipali, P.S. Saraipali, Distt. Mahasamund Chhattisgarh
2. Meeradevi W/o Mamanchand Agrawal Aged About 56 Years R/o Saraipali, P.S. Saraipali, Distt. Mahasamund Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through - Police Station Saraipali, Distt. - Mahasamund Chhattisgarh

---- Respondent

And

MCRCA No. 660 of 2015

Deepak Agrawal S/o Maman Chand Aged About 29 years R/o Saraipali, P.S. Saraipali, District- Mahasamund, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Police Station- Saraipali/basna, District- Mahasamund, Chhattisgarh

---- Respondent

Shri V.C.Ottalwar, counsel for the applicant/s.
Shri Vinod Tekam, Panel Lawyer for the State.
Shri Kishore Narayan, counsel for the objector.

Order On Board

11/08/2015

Both the aforesaid applications are being disposed off by this common order, as they arise out of the same crime number.

2. The allegation against the applicants are that the applicant and other co-accused harassed and subjected to cruelty the prosecutrix in connection with demand of dowry and it is alleged that she was beaten up also.
3. Learned counsel for the applicant submits that in so far as present applicants are concerned, the allegations are exaggerated. There may be some dispute between

the husband and the wife but the applicants who are mother-in-law, father-in-law and brother-in-law including all other members of the family have been involved. It is submitted that there are no specific allegation of assault by the applicants and such kind of allegations are mostly against other accused.

4. On the other hand, learned State counsel and the objector submits that it is not only the husband but each and every member of the family are involved in harassing and subjecting the prosecutrix to harassment in many ways and attempts were made to throw the prosecutrix from the terrace of the house. Learned State counsel submits that certain injuries were found on the person of the prosecutrix.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the allegation of assault are against other accused and as far as present applicants are concerned, the allegations are general, without any specific incident of they having assaulted the prosecutrix in a particular manner, the applications are allowed.

6. 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 in the sum of Rs.25,000/- along with one 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 applicants 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 they 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**