

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 1092 /2015

1. Dharamlal Aadile, S/o. Shri Awadhram Aadile, Aged About 57 Years, R/o. Aadile Chowk, Purani Basti, Tahsil Town & District Korba, Chhattisgarh.
2. Smt. Saroj Aadile, W/o. Dharamlal Aadile, Aged About 52 Years, R/o. Aadile Chowk, Purani Basti, Tahsil Town & District Korba, Chhattisgarh.
3. Smt. Nisha Aadile (Ratre), W/o. Bhupan (Bhushan) Aadile (Ratre) Aged About 31 Years, R/o. Village Gajra, P.S. Banki Mongra, Tahsil Katghora, District Korba, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Kotwali Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicants : Mr. M.D.Dhote, Advocate.

For Respondent : Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/11/2015

1. Apprehending arrest in connection with Crime No.398/2015 registered at Police Station- Kotwali, Korba, District Korba (C.G.) for the offence punishable under Sections 498A, 506 & 377/34 of the Indian Penal Code, the applicants have preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the marriage between the complainant and Tapan Aadile, who is son of the applicants No.1 & 2 and brother of the applicant No.3, was solemnized on 24.05.2015 and thereafter it was alleged that the complainant was harassed and subjected to cruelty for demand of dowry of Rs.1,00,000/-.

3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case as the applicant No.3 Smt. Nisha Aadile who is resident of Katghora, District Korba do not resides at the place where the incident happened. He further submits that only general allegations have been made against the applicants.
4. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have gone through the report of the applicant and reading of the report would show that the primary allegations are against the husband and general allegations have been made against these applicants. Therefore, considering the statement and the written report made by the complainant and looking to the nature of allegations, I am inclined to extend the benefit of anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on furnishing a personal bond to a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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/her 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 the applicants 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, today.

Sd/-
(Goutam Bhaduri)
Judge

Ashok