

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 862 of 2015

1. Dhanidas Mahant S/o Balakdas Mahant Aged About 52 Years R/o Jaijaipur Ward No. 15, P. S. And Tahsil Jaijaipur, District Janjgir-Champa Chhattisgarh
2. Smt. Shanti Bai Mahant W/o Dhanidas Mahant, Aged About 49 Years R/o Jaijaipur Ward No. 15, P. S. And Tahsil Jaijaipur, District Janjgir-Champa Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, Janjgir, District Janjgir-Champa Chhattisgarh

---- Respondent

Shri Shailendra Dubey, counsel for the applicant/s.
Shri Manish Nigam, Panel Lawyer for the State.

Order On Board

09/09/2015

Heard.

The applicants are apprehending their arrest in connection with Crime No.157/15 registered at police station – Jaijaipur, Distt. - Janjgir – Champa, CG for alleged commission of offence under Section 294, 506, 498-A/34 of IPC.

2. Prosecution case is that the applicant and other accused harassed and subjected the complainant to cruelty in connection with demand of dowry.

3. Learned counsel for the applicant submits that the dispute is mainly between the husband and the wife and the applicants are involved by the complainant to create pressure to come to settlement. He submits that because of dispute between the co-accused and the complainant, the complainant started residing with her parents since March, 2015 and thereafter, community meeting was held which did not come to settlement, thereafter, report has been lodged.

4. On the other hand, learned State counsel submits that though the allegations are more against the husband, the present applicants are also involved

as they abetted the husband of the complainant to raise demand of dowry and also subjecting her to cruelty.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the allegations are mostly against the husband and there is no specific overt act of assault or physical violence and that report has been lodged after almost four months of complainant leaving the matrimonial house with intervention of community meeting, I am inclined to grant anticipatory bail to the applicants.

6. Accordingly, the application 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 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 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