

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6187 of 2015

Ganpatram, S/o. Ghanaram Sahu, Aged About 74 Years, R/o. Village Bhanpuri, Post - Demar, Police Station- Arjuni, Tahsil And District - Dhamtari (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station- Arjuni, District - Dhamtari (Chhattisgarh)

---- Respondent

AND

M.CR.C. No. 6239 of 2015

Pushpalata Sahu, W/o. Late Chamanlal Sahu, Aged About 45 Years, R/o. Ramnagar, Bhilai, Tahsil & District – Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station- Arjuni, District - Dhamtari (Chhattisgarh)

---- Respondent

For Applicants	: Ms. Meenu Banerjee, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.182/2015, registered at Police Station–Arjuni, District Dhamtari (C.G.) for the offence punishable under Sections 498-A, 328/34 of Indian Penal Code and Section 3, 4 of Dowry Prohibition Act.

2. Case of the prosecution, in brief, is that the complainant Smt. Chayangi Balal Sahu lodged a complaint that she was married to one Praveen Kumar Sahu on 18.05.2015 and thereafter she was subjected to ill-treatment for demand of dowry by the family members of the applicant. It was further alleged that she was assaulted and forced to drink *Sindur* (Vermilion).
3. Learned counsel for the applicants submits that the applicant Ganpatram in M.Cr.C. No.6187/ 2015 is aged about 74 years and he is Great Grand Father-in-law (Dada Sasur) and the applicant Pushpalata in M.Cr.C. No.6239/2015 is Mother-in-law of the complainant and they have been falsely implicated in this case and no overt act has been committed by them because the applicants were living separately and do not reside with the complainant and her husband; therefore, they may be enlarged on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and the applicant Ganpatram in M.Cr.C. No.6187/2015 is in jail since 06.09.2015 and the applicant Pushpalata in M.Cr.C. No.6239/2015 is in jail since 05.10.2015 and further taking into account that the offences are triable by the JMFC, I am inclined to release the applicants on bail.
7. Accordingly, both the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Ashok