

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1000 of 2015

Smt. Pushpa Dwivedi W/o Shiv Kumar Dwivedi Aged About 51 Years R/o Qr.No.1 B, Street No. 35, Sector-5, Bhilai Nagar, District Durg (Chhattisgarh), Civil & Revenue District Durg (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through Mahila Thana, Durg, District Durg (Chhattisgarh).

---- Respondent

Shri P.R.Patankar, counsel for the applicant/s.
Shri Wasim Miyan, Panel Lawyer for the State.
Shri Shrawan Agrawal, counsel for the objector.

Order On Board

14/10/2015

Heard.

The applicant is apprehending her arrest in connection with Crime No.12/2015 registered at police station – Mahila Thana, Durg, District – Durg (CG) for alleged commission of offence under Section 498-A/34 of IPC and Section 4 of Dowry Prohibition Act.

2. Prosecution case is that in connection with demand of dowry, the complainant was harassed and subjected to cruelty by the applicant and other co-accused.
3. Learned counsel for the applicant submits that there are no specific allegation of physical violence against the applicant. The allegations are mostly against the husband. It is further submitted that the co-accused / father-in-law has already been granted bail. He submits that the applicant is not likely to abscond or tamper with the prosecution witnesses and custodial interrogation of the applicant is not necessary.
4. On the other hand, learned counsel for the State and the objector opposes the application by submitting that the applicant is also involved with the husband of the complainant in subjecting her to cruelty.

5. Taking into consideration the submission, nature of allegations and role alleged to be played by the applicant, the application is allowed.

6. It is directed that in the event of arrest of applicant in connection with the aforesaid offence, she shall be released on bail on 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 she 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 the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant 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