

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. (A) No. 257 of 2016

1. Smt. Gayatri Devi, W/o Buvan Lal, Aged About 59 Years, R/o K-2/125, Tube Coloney, Baridih, Post-Baridih, District-Purvi Singhbhumi, Jamshedpur, Post Baridih, District Purvi Singhbhumi, Jamsedpur, Jharkhand.
2. Ghanshyam Lodhi, S/o. Shisupal Lodhi, Aged About 60 Years, R/o T/ A, Near Post Office, Tar Company Indra Nagar, Jamshedpur, Jharkhand.

---- Applicants

Versus

State of Chhattisgarh, Through District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicants	:-	Mr. Praveen Dhurandhar, Advocate
For Respondent/State	:-	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17/03/2016

1. Apprehending arrest in connection with Crime No 15/2015 registered at Police Station- Mahila Thana, Durg, District Durg (C.G.) for the offence punishable under sections 498A/34 of Indian Penal Code and section 4 of Dowry Prohibition Act, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the complainant Prachi Verma was married to Lalit Kumar on 11.07.2013. Thereafter, the complainant was subjected to torture for demand of dowry and a car was demanded, eventually, the report was made on 18.12.2014, thereby, the offence is

said to be committed.

3. Counsel for the applicants submits that the applicant No.1 is the mother-in-law and the applicant No. 2 is the uncle-in-law of the complainant who were residing at Jamshedpur, whereas the complainant alongwith her husband were residing at Bangalore, therefore, the name of the applicants have been falsely implicated as there was no occasion for these applicants to visit or stay at Bangalore. He further submits that even if, any allegations are made these are against the husband, therefore, the applicants may be given the benefit of anticipatory bail.

4. Per contra learned State counsel opposes the prayer for grant of anticipatory bail.

5. Perused the FIR as also the statement of the complainant. Reading of the complaint would show that the complainant was staying with her husband at Bangalore, whereas the applicants were staying at Jamshedpur, primary allegations have been alleged against the husband. Taking into such statement of the complainant as also the mother of the complainant, this Court is of the opinion that the present is the a case, where the applicants should be enlarged on anticipatory bail.

6. Accordingly, the anticipatory bail application is allowed and 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 executing a personal bond in 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 them 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) 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.

Sd/-

(Goutam Bhaduri)

JUDGE

Santosh