

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 516 of 2016

1. Kanti Bai Rathore W/o Late Dinesh Rathore Aged About 39 Years R/o Village Masturi, Tahsil & P.S. Masturi, District Janjgir - Champa Chhattisgarh.
2. Kirti Bai W/o Anil Aged About 37 Years R/o Village Afrid. R/o Champa, Tahsil & P.S. Champa, District Janjgir - Champa Chhattisgarh
3. Anil Kumar S/o Ram Krishna Rathore R/o Village Afrid. R/o Champa, Tahsil & P.S. Champa, District Janjgir - Champa Chhattisgarh
4. Purnima Bai Rathore W/o Hemkaran Aged About 35 Years R/o Village Sonsari, Tahsil Akaltara, P.S. Mulmula, District Janjgir - Champa Chhattisgarh
5. Hemkaran Rathore S/o Late Bisahu Ram Aged About 45 Years R/o Village Sonsari, Tahsil Akaltara, P.S. Mulmula, District Janjgir - Champa Chhattisgarh
6. Minakshi W/o Uday Rathore Aged About 30 Years R/o Korba, Tahsil & P.S. Korba, District Korba Chhattisgarh
7. Uday Rathore S/o C. L. Rathore Aged About 35 Years R/o Korba, Tahsil & P.S. Korba, District Korba Chhattisgarh

--- Applicants

Versus

State of Chhattisgarh through the District Magistrate, Janjgir,
District Janjgir - Champa Chhattisgarh

--- Respondent

For the applicants	: Mr. Shailendra Dubey, Advocate.
For the Respondent	: Miss K. Tripti Rao, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.07.2016

1. Apprehending arrest in connection with Crime No. 172 of 2016 registered at Police Station Janjgir, Distt. Janjgir Champa (C.G) for the offences punishable under section 498-A/34, 294, 506, 323 and 354 of IPC , the applicants have filed this application u/s 438 of the Code of

Criminal Procedure for grant of anticipatory bail.

2. As per the prosecution case, a report was made by one Shashi Prabha on 09.04.2016 at Janjgir that she was married to Raghavendra Rathore on 06.07.2007 and subsequently after marriage, she was subjected to torture for demand of dowry by the husband and other in-laws and at one point of time, the husband tried to kill her by pouring kerosene oil. Further allegations were made that Rs.2 lakhs was demanded and she was subjected to assault. It was also reported that she was not able to bear the child as such she was initially abused and ultimately she was evicted from the house.
3. Learned counsel for the applicants would submit that the applicants are sisters-in-law and brothers-in-law of the complainant and they were residing separately at Champa, Janjgir and Korba whereas the complainant was residing at Raipur and false allegations have been levelled against the applicants. He further submits that the husband filed application for restitution of conjugal rights when the wife left the house.
4. Per contra, learned State Counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary as also the proceedings of conciliation.
6. Considering the nature of allegations against the applicants which are general in nature and the fact that the applicants were living separately at different places, I am inclined to allow this bail filed u/s 438 Cr.P.C.
7. Accordingly, the 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 each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicants shall also abide by the following conditions :-

- (i) that they shall make themselves available for interrogation before the investigating 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 him/her from disclosing such facts to the Court or 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE