

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 572 of 2016

1. Mina Adil, W/o. Baindas (@ Laindas), Caste-Satnami, aged about 40 years, (Labour worker), R/o. Village-Sundrawan, P.S. - Palari, Civil and Revenue District – Baloda Bazar – Bhatapara (C.G.), presently address at Gogaw, P.S. - Gudiyari, Civil and Revenue District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station Hose Officer, Police Station Palari, Civil and Revenue District – Baloda Bazar – Bhatapara (C.G.)

---- Respondent

For Applicant	: Mr. Janak Ram Verma, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

1. Apprehending arrest in connection with Crime No.151/2016 registered at Police Station- Palari, District – Baloda Bazar – Bhatapara (C.G.), for offence punishable under Section 498(A) of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a complaint was made by the complainant, Mongara Bai on 23.04.2016 that the present applicant, who is the mother-in-law along with his son namely Shivkumar have treated the complainant with cruelty for demand of dowry and land and Rs.5.00 lakhs was demanded and the marriage was performed three years back from the lodging of the FIR.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and the complainant and husband were living separately and the applicant was living separately. It is further submitted that general allegations have

been attributed. It is further submitted that the son, who was arrested has already been enlarged on bail on 19.05.2016, therefore, the counsel prays that, the applicant being a lady may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the bail application.
5. Perused the statement of the wife Mongara Bai, wherein after going through the statement it shows that general and omnibus allegations have been attributed against this applicant. Considering the fact that the applicant is being a lady and taking into the totality of the case, this Court is inclined to extend the benefit of anticipatory bail to the applicant, as no custodial interrogation may be required in this case.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant 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 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/-
(Goutam Bhaduri)
Judge