

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 798 of 2016

1. Sukri Lal Baghel S/o Shri Mehattar Baghel Aged About 47 Years R/o Mahatma Gandhi Nagar, Gali No. 01, Amlidih, Raipur Distt. Raipur Chhattisgarh.
2. Rahas Baghel W/o Shri Sukritlal Baghel Aged About 45 Years R/o Mahatma Gandhi Nagar, Gali No. 01, Amlidih, Raipur Distt. Raipur Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh Through Station House Officer, P.S. New Rajendra Nagar, Distt. Raipur Chhattisgarh. ---
Respondent

For the applicant	:	Mrs. Smita Jha, Advocate.
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.08.2016

1. Apprehending arrest in connection with Crime No. 100 of 2016 registered at Police Station New Rajendra Nagar, Raipur, Distt. Raipur (C.G) for the offences punishable under sections 498-A, 294, 323, 506, 34 IPC, the applicant has 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 the victim complainant Pooja Baghel that she was married to Satyendra Baghel on 04.06.2015 and thereafter she was subjected to cruelty for various reasons including demand of dowry in the form of Washing Machine and Mixer Grinder. Subsequently the counseling also took place however, nothing could be transpired in the counseling and ultimately a report is made.
3. Learned counsel for the applicant would submit that

initially the husband of the complainant has made a report on 31.05.2016 over which a counseling took place wherein the husband wanted to take back the wife but the wife refused to come to the matrimonial house on the ground that she wanted to stay separately from the mother-in-law and father-in-law in a separate house but the husband did not want to leave the parents and on that ground the counseling did not materialize and no allegations have been attributed to the applicants who are father-in-law and mother-in-law.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents of counseling. A perusal of such documents show that general allegations have been made against the applicants. Therefore, considering nature of allegations levelled against the applicants, I am inclined to admit them to anticipatory bail.
6. 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 them 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

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