

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC(A) No. 455 of 2016**

1. Smt. Inda Kumari, S/o Shri Late Bodh Ram Aged About 55 Years  
R/o Charpara, Kohdia, Korba, Chowki - C. S. E. B. P.S. Kotwali  
Korba, Revenue & Civil District - Korba Chhattisgarh

2. Savita W/o Dhansai Aged About 28 Years R/o Bashinkhar,  
Keshla, Rajgamar Tahsil - Korba, P.S. Rajgamar Revenue & Civil  
District - Korba Chhattisgarh

**---- Applicants**

**Versus**

State Of Chhattisgarh Through : Police Station - Kotwali, District -  
Korba Chhattisgarh

**---- Respondent**

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For applicants – Shri Sandeep Dubey, Advocate.  
For Respondent/State –Shri Arvind Shukla, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**12/05/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 160/2016 registered at Police Station Chowki C.S.E.B., Kotwali Korba District Korba (C.G.) for offence punishable under Section 498 (A)/34 of IPC.

2. As per the prosecution case a report was made by complainant Vandana Yadav that she was married to Daduram Yadav on 17/04/2008. Thereafter, she was subjected to torture for demand of dowry by the husband and family members including the applicants as motorcycle and Rs.2 lakhs was demanded and for non-payment, she was subjected to cruelty.

3. Learned counsel for the applicants submits that husband initially made report against the complainant on 10/11/2015 as she was found in compromising position with another boy. Thereafter, petition was filed

under Section 13 (1) of the Hindu Marriage Act for dissolution of the marriage and subsequently after service of such notice report is made. Therefore, report is made against the applicant and other co-accused. He further submits that applicant No.2 resides at her matrimonial home at a different place and she has also been falsely implicated in this case, therefore the applicants may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and documents as also the statement. Considered the statement as also documents of conciliation. Taking into such report and the conciliation as general allegations have been made, I am inclined to extend benefit of anticipatory bail to the applicants.

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 local 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 him/her 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.

Certified copy as per rules.

Sd/-  
Goutam Bhaduri)  
JUDGE