

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 569 of 2016

1. Sujeet Kumar Singh S/o Panchanand Singh, Aged About 27 Years
2. Panchanand Singh S/o Shri S. S. Singh, Aged About 54 Years
3. Sheela Devi W/o Parmanand Singh, Aged About 50 Years
R/o L.I.G. 34, Ward No. 15, M.P. Housing Board, Bhilai Nagar,
District - Durg - Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Thana Bhilai Nagar, Durg, District -
Durg - Chhattisgarh

---- Respondent

For applicants – Shri P.R. Patankar, Advocate.
For Respondent/State – Shri Sumit Jhanwar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

1/08/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 106/2016 registered at Police Station Thana Bhilai Nagar, District Durg (C.G.) for offence punishable under Section 498-A, 323/34 of the Indian Penal Code.
2. As per the prosecution case, a report was made by one Richa against the applicants and the other co-accused namely Ajit Kumar the husband that she was subjected to torture for demand of dowry and thereby report was made on 2/10/2015. Thereby, the offence has been committed.
3. Learned counsel for the applicants submits that the applicant No.1 Sujeet Kumar Singh is the brother-in-law working at Bhilai, applicant No.2 Panchanand Singh he works at NMDC and applicant No.3 is the mother. It is further submitted that complainant Richa and son of applicant No.2 were married on 19/04/2015 in the Arya Samaj, Raipur as they were in love relation. It was without consent of the family members which resulted in to dispute and family members of the girl went to Jagdalpur wherein father of

Ajit Kumar was working and he was beaten by them, as such report was lodged which was registered as Crime No.157/15. Thereafter, pressure was created to take back such report by the girl and having not been done, report has been filed and the applicants have been falsely implicated in the case, therefore the applicants may be granted benefit of anticipatory bail.

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

5. Perused the case diary and the documents as also report made. Perused also report made by Panchanand Singh against few of the members as also statement. Considering the background of the case which shows that primarily dispute arose between the parties as they performed marriage of their own which resulted into report and counter report. Considering the statement and the nature of allegation, 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 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 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

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