

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 608 /2016

Smt. Chanda Bai, W/o. Late Manglu Bhardwaj, Aged About 55 Years, R/o. Amera, Police Station Palari, Distt. Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Palari, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. J.K.Saxena, Advocate.

For Respondent : Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/08/2016

1. Apprehending arrest in connection with Crime No.182/2016 registered at Police Station- Palari, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 498(A) of the Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the complainant Lata Banjare was married to Manharan Banjare of village Amera six years back and thereafter immediately after marriage she was subjected to torture for demand of dowry and on 13.05.2016 she was subjected to assault and was made to go out of the home and refused to keep the victim in the house; thereby the offence is committed.
3. Learned counsel for the applicant would submit that general allegations have been attributed against the applicant and the report has been made after six years and in between no report was made, therefore, the applicant has been falsely implicated and as such she may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the statement. Considering the omnibus statement and the nature of allegation leveled and further taking into fact that there is an enormous delay in lodging the report, I am inclined to release the applicant on anticipatory bail.
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 furnishing a personal bond to a 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