

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 659 of 2016**

- Smt. Versha Agrawal W/O Shri Vivek Kumar Agrawal Aged About 30 Years R/O Ward No. 15, Pendra Dafai, Manendragarh, Police Station & Post Manendragarh, Civil & Rev. Distt. Korea Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Tarbahar, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Mr. Vaibhav A. Goverdhan, Advocate

For Respondent/State : Mrs. Shobha Kashyap, Dy.GA.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****11-8-2016**

1. This application under Section 438 of Cr.P.C has been filed by the applicant apprehending her arrest in connection with Crime No. 271 of 2015 registered at Police Station Tarbahar, District Bilaspur (CG) for offence punishable under Sections 498-A & 304-B read with Section 34 of IPC.
2. As per case of the prosecution, the deceased Sapna Agrawal was married to Milan Agrawal on 24-5-2016 and immediately after the marriage the applicant along with other co-accused persons used to torture the deceased in connection with demand of dowry. Subsequently for this reason, she left her matrimonial house on 3-8-2015 and started residing in her parental house and ultimately she committed suicide and died unnatural death, therefore, the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant is sister-in-law of the deceased, she has been falsely

implicated in the case, she was married to one Vivek Agrawal on 29-5-2014 prior to the date of marriage of the deceased and she was residing separately with her husband in her matrimonial house at Manendragarh. He would further submit that general allegations have been attributed against the applicant and no specific allegations have been made, therefore, the applicant may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties.
6. Perused the case diary, documents and also dying declaration of the deceased.
7. Considering the nature of allegations against the applicant which are omnibus in nature and further considering the fact that the applicant being a married woman appears to have been residing at different place with her husband, I am inclined to extend benefit of anticipatory bail to the applicant.
8. 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 his executing a personal bond in the sum of Rs.25,000/- with one local 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) 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

Raju