

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 692 /2016

1. Navloo Ram Sahare, S/o. Mr. Jhangluram, Aged About 58 Years.
2. Smt. Ashok Kumari, W/o. Navloo Ram Sahare, Aged About 53 Years.

Both are R/o. Village & Post Semra, Sihawa, Tehsil Nagari, Distt. Dhamtari, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Police Station Frejarpur (Parpa), Distt. Jagdalpur (Bastar), Chhattisgarh

---- Respondent

For Applicants : Mr. Raza Ali, Advocate.

For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/08/2016

1. Apprehending arrest in connection with Crime No.85/2016 registered at Police Station- Frejarpur (Parpa), Distt. Jagdalpur (Bastar), C.G., for the offence punishable under Section 498-A of Indian Penal Code and Section 4 of the Dowry Prohibition Act, the applicants have preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was made by Smt. Geeta Sahare that she was married to the son of the present applicants who are father-in-law and mother-in-law on 15.02.2015 and thereafter, she remained with her mother-in-law for one week and joined her matrimonial home with her husband. During such stay alongwith the applicants, the demand of dowry was made and the husband used to torture the complainant and assaulted after consuming liquor.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and no allegation have been made

against the applicants and only for seven days the complainant stay alongwith the applicants; therefore, they may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the statement and the report of the complainant. Considering the allegation made against the applicants which is general in nature, I find it to be a fit case where the benefit of Section 438 of Cr.P.C. can be extended 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 furnishing a personal bond to a 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) that 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