

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 697 /2016

1. Smt. Indu Singh, W/o. Shri Dinesh Singh, Aged About 60 Years.
2. Smt. Priyanka Singh, W/o. Shri Vivek Singh, Aged About 35 Years.

Both R/o. Teachers Colony, B-7 Mangala Bilaspur, P.S. - Civil Line
Bilaspur, Distt. Bilaspur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Police Station In-Charge, P.S.
Civil Line Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Bhupendra Singh, Advocate.
For Respondent : Ms. Shobha Kashyap, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/08/2016

1. Apprehending arrest in connection with Crime No.342/2016 registered at Police Station- Civil Line Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 304-B of Indian Penal Code, 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, the applicants are the mother-in-law & sister-in-law of the deceased Neha Singh who was married to Vikas Singh on 09.05.2015 and committed suicide by hanging on 06.06.2016. It is the case of the prosecution that the applicants being the mother-in-law & sister-in-law used to torture the deceased for demand of dowry of Rs.5 Lacs alongwith the other co-accused.

3. Learned counsel for the applicants would submit that on the merger enquiry, the allegations were attributed to the husband Vikas Singh for the reason that he has some illicit relation with another girl and that was the basic reason for dispute and no demand has been made by the applicants and the applicants have been falsely implicated, 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 merger statement of Kameshwar Singh wherein primarily it is alleged that her daughter had told that the husband Vikas Singh had illicit relation with another lady and further omnibus allegation of demand of dowry has been made. Considering the entire statement and the facts and circumstances of the case, 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

Ashok