

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 820 of 2016

- Smt. Deepa Sharma W/o Late Sitaram Sharma Aged About 75 Years R/o Devridih (Devrikhurd) Torwa, Police Station Torwa, Tahsil & District Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Torwa, Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Vivek Shrivastava, Advocate.
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.09.2016

1. Apprehending arrest in connection with Crime No. 62/2016 registered at Police Station Torwa, Bilaspur (C.G) for the offences punishable under section 498-A, 323, 506 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was lodged by the complainant Smt. Neetu Sharma against her husband and the present applicant who is mother-in-law alleging that after her marriage she was subjected to abuses and assault for demand of dowry and because of the assault, she has lost her ear drums thereby the offence was committed.
3. Learned counsel for the applicant would submit that the applicant is mother-in-law and false allegations have been attributed. He further submits that the main

allegations are attributed to the husband whereas the omnibus allegations have been made against this applicant. It is further submitted that the applicant is 75 years old and infirm lady therefore looking to her age and infirmity, she may be admitted to anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the statement of victim wherein primary allegations have been attributed to the husband.
6. Taking into fact that omnibus allegations have been levelled against the applicant and further looking to her age, I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting her or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that she will make himself available for interrogation before the investigating officer as and when required;
 - (ii) that she will 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 any police officer;
 - (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial; and

(iv) that she will appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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