

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 852 of 2016

1. Smt. Neera Bai, W/o Shri Janiram Sahu, Aged About 60 Years, R/o Village Kadari, Thana Bardwar, District Janjgir Champa Chhattisgarh.
2. Smt. Babita Sahu, W/o Shri Bhagwat Prasad Sahu, Aged About 37 Years, R/o Village Bhadesar, Thana Palmgarh, Tehsil Janjgir, District Janjgir Champa Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Baradwar, District Janjgir Champa Chhattisgarh.

---- Respondent

For applicants – Shri Sourabh Dangi, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/09/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 211/2016 registered at Police Station Baradwar, Dist. Janjgir Champa for offence punishable under Sections 498-A and 34 of Indian Penal Code.
2. As per the prosecution case, a report was made by Sardha Sahu on 28/06/2016 that she was married to Mukesh Sahu on 2/05/2014. Thereafter, a child was born. Subsequently, after one year of the marriage the applicants who are the mother-in-law and sister-in-law alongwith other co-accused started treating the complainant with cruelty and demanded Rs.2 lakhs and car and deserted her. It is further report was made that after the girl child was born cruelty aggravated. Thereby, offence is committed.
3. Learned counsel for the applicants submits that only omnibus allegations have been attributed against the applicants and they have been falsely implicated. He submits that general allegations have been made against the applicants and two of the co-accused husband and father-in-law have been enlarged on regular bail, no further investigation is required,

therefore the applicants may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the report as also statement. Considering the facts and circumstances of the case and also considering the general nature of allegations, I am inclined to extend benefit of anticipatory bail 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 each of them executing a personal bond in 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) 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.

Sd/-

(Goutam Bhaduri)

JUDGE