

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 968 of 2016

1. Dinesh Singh S/o Shri Mahendra Pratap Singh, Aged About 61 Years R/o Teachers Colony, B- 7 Mangala, Bilaspur P. S. Civil Line Bilaspur, District Bilaspur, Chhattisgarh.
2. Vivek Singh S/o Shri Dinesh Singh, Aged About 37 Years R/o Teachers Colony, B - 7 Mangala, Bilaspur P. S. - Civil Line Bilaspur, District - Bilaspur Chhattigarh --- **Applicants**

Versus

- State of Chhattisgarh Through Police Station In - Charge, P. S. - Civil Line Bilaspur, District Bilaspur, Chhattisgarh. - **Respondent**

For the applicants : Mr. Bhupendra Singh, Advocate.
For the State : Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

1. Apprehending arrest in connection with Crime No. 342 of 2016 registered at Police Station Civil Line, Bilaspur, Distt. Bilaspur (C.G) for the offences punishable u/ss 304-B, 34 IPC, the applicants have filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, the applicants are father-in-law and brother-in-law of the deceased Neha Singh who was married to Vikas Singh on 09.05.2015. She committed suicide by hanging on 06.06.2016. The allegation against the applicants is that they being father-in-law and brother-in-law used to torture the deceased for demand of dowry alongwith the husband and other in laws and Rs.5 lacs was demanded.
3. Learned counsel for the applicants would submit that on merg enquiry, the allegations were attributed to the

husband Vikas Singh as he had some illicit relations that was the reason for the basic dispute. He further submits that similarly placed co-accused Smt. Indu Singh and Smt. Priyanka Singh have been enlarged on anticipatory bail by this Court in M.Cr.C.(A) No.697/2016, therefore, the present applicants may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer. However, he do not dispute the fact that the persons against whom similar allegations were levelled have been admitted to anticipatory bail by this Court.
5. Considering the totality of the facts and circumstances of the case especially the fact that similarly placed co-accused have been admitted to anticipatory bail in M.Cr.C(A).No.697/ 2016, I am inclined to allow this bail application.
6. Accordingly, the 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 officer arresting them or the concerned Investigating Officer. The applicants shall also abide by the following conditions :-
 - (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that they 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 any police officer;

(iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

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