

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1290 of 2016

1. Smt. Shabana W/o Shri Kazim Aged About 45 Years R/o Mominpura, Ambikapur Post Police Station And Tahsil Ambikapur District Surguja Chhattisgarh
2. Munasib Khan S/o Shri Kazim Khan Aged About 24 Years R/o Mominpura, Ambikapur, Post, Police Station And Tahsil- Ambikapur, District- Surguja, Chhattisgarh
3. Hasmat Khan S/o Kazim Khan Aged About 30 Years R/o Mominpura, Ambikapur, Post, Police Station And Tahsil- Ambikapur, District- Surguja, Chhattisgarh --- **Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Outpost Pandopara, Police Station Patna, District Korea Chhattisgarh --- **Respondent**

For the applicants : Mr. Anil Gulati, Advocate
For the State : Ms. Sunita Jain, Panel Lawyer
For the Objector : Mr. Umesh Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.03.2016

1. Apprehending arrest in connection with Crime No. 200/2016 registered at Police Station Patna, Distt. Korea (C.G) for the offences punishable u/ss 498-A & 294 of IPC, the applicants have filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a report was made by Ruksana, the complainant, that she was married to applicant No.3 Hasmat Khan on 19.06.2012 and thereafter she was subjected to torture for demand of dowry and it is alleged that a four wheeler, electronic goods and other household articles were demanded. Applicants 1 & 2 are mother-in-law and brother-in-law

who are also part of the crime thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated; only general and omnibus allegations have been made against the present applicant and the date of marriage is of 2012, therefore, the applicants may be enlarged on bail.
4. Learned counsel for the objector opposes the bail and submits that the applicants had intimidated the complainant to take back the initial report and as such when the complainant was threatened, again she made a report to the Police that the present applicants are intimidating and pressurizing her to take back the report.
5. Learned State Counsel also opposes the bail application.
6. Perused the report made by the complainant which was of 09.11.2016. Initially the FIR was made on 08.10.2016.
7. Since the applicants had tried to pressurize the complainant to take back the FIR for which again a report was lodged against the applicants, therefore, prima facie case has been made out and the applicants are not entitled to be released on anticipatory bail. Accordingly, this application is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**