

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 34 of 2017**

1. Vijay Kumar Lahare S/o Krishna Chandra Lahre, Aged About 30 Years Cast Satnami, R/o Village Pamgarh, Police Station Pamgarh, District Janjgir Champa Chhattisgarh
2. Krishna Chandra Lahare, S/o Udal Ram Lahre, Aged About 57 Years Cast Satnami, R/o Village Pamgarh, Police Station Pamgarh, District Janjgir Champa Chhattisgarh
3. Suchitra Devi Lahre, W/o Krishna Chandra Lahre, Aged About 48 Years Cast Satnami, R/o Village Pamgarh, Police Station Pamgarh, District Janjgir Champa Chhattisgarh
4. Sanjeev Kumar Lahare, S/o Krishna Chandra Lahre, Aged About 26 Years Cast Satnami, R/o Village Pamgarh, Police Station Pamgarh, District Janjgir Champa Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pamgarh, District Janjgir Champa Chhattisgarh

---- Non-applicant

For Applicants:	Mr. Ashok Verma with Mr. Gurudev I. Sharan, Advocates
For State:	Mr. Ashok Swarnkar, Panel Lawyer
For Objector:	Mr. K.K. Singh, Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****04.05.2017**

1. The present application u/s 438 of the Cr.P.C. for grant of anticipatory bail has been filed by the Applicants apprehending their arrest in connection with Crime No. 297/2016 registered by the Police Station – Pamgarh, District : Janjgir- Champa whereby they have been charged for the offence punishable under Sections 498A, 323, 506B,

34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

2. At the outset learned Counsel for the Applicants submits that since the Applicants No. 1,2 and 4 have since been arrested, therefore the present application so far as Applicants No.1, 2 and 4 are concerned has become infructuous and hence he does not intend to press the present application for Applicants No. 1, 2 & 4.. He presses the Application only so far as the Applicant No.3 is concerned.
3. The Applicant No.3 is the mother-in-law of the complainant – Priti Lata Lahre. The F.I.R. has been lodged on 31.12.2016. He further submits that so far as the Applicant No.3 the mother-in-law namely Suchitra Devi Lahare is concerned there are only omnibus and general allegation of ill-treatment and assault leveled against her. He submits that marriage of the complainant took place with the Applicant No.1 Vijay Kumar Lahre on 16.04.2016 and that in just less than a period of 3 months the marriage got strained. It is also submitted by the learned Counsel for the Applicant that the Complainant and Applicant No.1 undertook a 3 month course at Bilaspur preparing for PSC Examination. Subsequently, after undertaking course at Bilasour, it is said that for a short period of time they had remained in matrimonial home and therefore, there is clear indication of false implication. He further submits that taking into consideration, the allegations which have been levelled against the Applicant No.3 which are all omnibus in nature, she may be granted benefit of anticipatory bail. Moreover she is a lady and undertakes not to misuse the bail if granted to her.
4. The said prayer has been objected by the Counsel for the State as

well as Counsel for the objector. Both of them refer to the statement of Priti Lata Lahre wherein she has made complaints against the Applicant No.3 Suchitra Devi Lahare and other co-accused who have been arrested wherein she has made complaint of harassment and assault being made by them.

5. Having considered the submissions made by the Counsel for the parties and on perusal of record what clearly reflects from the statement of the complainant is that the allegations are general in nature and that there is no specific act or over act alleged against Applicant No.3 Suchitra Devi Lahare. The allegation of pouring kerosene upon the complainant is attributed against one Sanjeev Kumar Lahare and not the mother-in-law i.e. the Applicant No.3.
6. In view of the same, taking into consideration the nature of allegation and facts and circumstances of the case, this Court is of the opinion that a strong case for grant of anticipatory bail has been made out in favour of the Applicant No.3.
7. Accordingly, the present MCRCA is allowed so far as Applicant No.3 is concerned. So far as Applicants No. 1, 2 and 4 are concerned the application stands dismissed having become infructuous.
8. It is directed that in the event of arrest, the Applicant No.3 shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000 with two sureties for the like sum to the satisfaction of the Officer arresting him. She shall abide by all the following terms and conditions:-
 - (i) that the accused/applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required;

- (ii) that the accused/applicant 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/them from disclosing such facts to the Court or to any police officer;
- (iii) that the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the accused/applicant shall appear before the trial court on each and every date given to her by the said court till disposal of the trial.

Sd/-

(P. Sam Koshy)
JUDGE