

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 361 of 2017**

1. Satyanarayan Pandey S/o Late Jagdish Prasad Pandey Aged About 52 Years Profession State Government Employee.R/o M I G -41, Bajpayee Castle, Minocha Colony, Bilaspur, Chhattisgarh.
2. Smt. Rekha Pandey, W/o Shri Satyanarayan Pandey Aged About 50 Years Profession House Wife, .R/o M I G -41, Bajpayee Castle, Minocha Colony, Bilaspur, Chhattisgarh
3. Piyush Ranjan Pandey, S/o Shri Satyanarayan Pandey Aged About 30 Years Profession Businessmen , R/o M I G -41, Bajpayee Castle, Minocha Colony, Bilaspur, Chhattisgarh
4. Savant Ranjan Pandey, S/o Shri Satyanarayan Pandey Aged About 25 Years Profession Student , R/o M I G -41, Bajpayee Castle, Minocha Colony, Bilaspur, Chhattisgarh
5. Saurabh Ranjan Pandey, S/o Shri Satyanarayan Pandey, Aged About 27 Years Profession Bank - Employee. R/o M I G -41, Bajpayee Castle, Minocha Colony, Bilaspur, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Civil Lines, Bilaspur, District; Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicants:	Mr. Raj Kamal Singh, Advocate
For State:	Mr. Arvind Shukla, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****18.05.2017**

1. Apprehending arrest in connection with Crime No. 705/2016 registered at Police Station- Civil Lines, Bilaspur (C.G.), for offence punishable under Sections 498A, 323, 34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. The contention against the present Applicant as per the

complainant is that all the family members in the matrimonial home right from her marriage subjected her to ill-treatment, torture and harassment. On the basis of which FIR has been registered on 04.11.2016.

3. Learned Counsel for the Applicants referring to the document Annexure-A3, which is the note-sheet of the conciliation proceeding held by the Family Conciliation Centre, Mahila Thana, Bilaspur wherein no such allegation as has been reflected in the FIR been referred to in the entire conciliation proceeding.
4. However, from the conciliation proceeding as also from the statement in the FIR it clearly reflect that the husband was a patient of depression and was undergoing treatment.
5. All these aforesaid conditions prima facie makes it a strong case for grant of anticipatory bail particularly keeping in mind the judgment of the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar and Another* [(2014) 8 SCC 273].
6. Accordingly, the MCRCA is allowed.
7. 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 executing a personal bond in sum of Rs.25,000/- each with one surety 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) that 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/-

(P. Sam Koshy)
JUDGE