

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1311 of 2016**

1. Deepak Dubey, (Correct name is Kul Deepak Dubey), S/o. Shri Jeevan Lal Dubey, Aged About 37 Years.
2. Shobha Dubey, Aged About 35 Years, W/o. Shri Deepak Dubey (Correct Name is Kul Deepak Dubey), Occupation- House Wife,

Both are R/o. Budadev, Ratanpur, District -Bilaspur, Chhattisgarh.
3. Suman Mishra, W/o. Shri Satish Mishra, Aged About 35 Years, Occupation- House Wife, R/o. Jhoparapara, Sarkanda, District Bilaspur, Chhattisgarh.

----Applicants**Versus**

1. The State Of Chhattisgarh, Through : The Station House Officer, Police Station: Chakarbhatta, District -Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Malay Kumar Bhaduri, Advocate
For Respondent/State	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****24/03/2017**

1. Apprehending arrest in connection with Crime No.404/2016 registered at Police Station- Chakarbhatta, Bilaspur, District – Bilaspur (C.G.), for offence punishable under Section 498-A, 506, 34, 377 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. Case of the prosecution in brief is that a report was made by the victim – Kumudlata Dubey on 16.11.2016 that she was married to

Akhilesh Dubey on 13.07.2016, thereafter, she was subjected to cruelty for demand of dowry and Rs.75,000/- was demanded by the husband which was supported by the present applicants. It is also alleged that the husband used to have unnatural sex with the wife and when the wife resisted, she was abused and assaulted. The applicants herein are the brother-in-law and sister-in-law of the complainant. Thereby the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants No.1 and 2 resides separately at Ratanpur, whereas the complainant resides separately at different place and the applicant No.3 resides at Sirgitti after her marriage. It is stated that false allegations have been attributed. Therefore, the counsel prays that the applicants may be extended the benefit of anticipatory bail.
4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the report of the victim as also the statement. Considering the nature of allegations levelled against the present applicants, it appears to be omnibus and general in nature and further considering the document, prima-facie it appears that the applicants are resident of different places, this Court is inclined to extend the benefit of anticipatory bail to the applicants as the custodial interrogation of the applicants may not be required in this case.
7. 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 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 applicant 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge