

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1044 of 2017

1. Satyendra Verma S/o Shri Ganesh Prasad Verma Aged About 30 Years Present Address Village Post Karaiya Tahsil Jamniya District Gazipur (U P) R/o H. D. , Kabir Nagar , Behind State Bank Of India Gol Chowk Raipur Chhattisgarh.
2. Smt. Abha Verma W/o Shri Ganesh Prasad Verma Aged About 53 Years R/o H. D. , Kabir Nagar , Behind State Bank Of India Gol Chowk Raipur Chhattisgarh.
3. Kumari Ruchi Verma D/o Shri Ganeshram Verma Aged About 29 Years R/o H. D. , Kabir Nagar , Behind State Bank Of India Gol Chowk Raipur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer Police Station Baikunthpur District Koriya Chhattisgarh. --- **Respondent**

For the applicants : Mrs. Fouzia Mirza, Advocate.
For the State : Mr. S.R.J. Jaiswal, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2017

1. Apprehending arrest in connection with Crime No. 287/2017 registered at Police Station Baikunthpur, Distt. Koriya (C.G) for the offences punishable under Sections 498-A, 323, 294, 506/34 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 Preeti Soni, wife of applicant No.1 on 19.10.2017 that the present applicant no.1 Satyendra Verma who is her husband has treated her with cruelty and has assaulted for demand of dowry whereas applicants no.2 and 3 Smt.

Abha Verma and Ku. Ruchi Verma who are mother-in-law and sister-in-law used to abet such demand of dowry along-with other family members.

3. Learned counsel for the applicants would submit that the complainant is working in Bank and no assault was made on her and only omnibus allegations have been made. He referred to certain Whats-App messages and submits that if the relations are strained then the assault could not have been made and in fact she fell down and sustained injury.
4. Per contra, learned State Counsel opposes the prayer.
5. Perused the case diary, documents and the statements of victim as also the medical report of the victim which also records the reason of the assault. Also perused the statement of one Ravindra Nath Pandey, the owner of the house wherein the applicant wife and other family members were staying. Considering the nature of allegations against the appellant No.1 and the medical report, I am not inclined to allow the bail application of applicant no.1. However, with respect to applicants 2 & 3 against whom omnibus allegations have been made and the main allegation of assault is against applicant No.1, I am inclined to allow the bail application of applicants 2 & 3.
6. Accordingly, the application of applicants 2 & 3 Smt. Abha Verma and Ku. Ruchi Verma is allowed and it is directed that in the event of their arrest 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 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**