

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No.212 of 2018**

1. Tularam, S/o Sadharam Satnami (Ratre), aged about 40 years,
 2. Ishwar, S/o Sadharam Satnami (Ratre), aged about 35 years,
 3. Santra Bai, W/o Sadharam Satnami (Ratre), aged about 65 years,
- All are R/o Village Pendri, Police Station Suhela, Tahsil Simga, District Baloda Bazar – Bhatapara, Chhattisgarh

---- Applicants

versus

State of Chhattisgarh through Station House Officer, Police of Police Station Suhela, Tahsil Simga, District Baloda Bazar – Bhatapara, Chhattisgarh

---- Respondent

For Applicants	:	Shri Anil Gulati, Advocate
For Respondent	:	Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****30.4.2018**

1. At the outset, Learned Counsel appearing for the Applicants submits that Applicant No.2, Ishwar has been arrested, therefore, he does not press this application on his behalf.
2. In view of the above submission, the present bail application, so far as it relates to Applicant No.2, Ishwar, is dismissed as not pressed.
3. Applicant No.1, Tularam is elder brother of Applicant No.2 and Applicant No.3, Santra Bai is mother of Applicant No.2. Marriage of Complainant Rameshwari and Applicant No.2, Ishwar was solemnised in the year 2002.
4. Applicants No.1 and 3 are apprehending their arrest in connection with Crime No.187 of 2016 registered at Police Station Suhela,

District Baloda Bazar - Bhatapara for offence alleged against them under Sections 498A and 313 of the Indian Penal Code.

5. Facts of the case, in brief, are that after the marriage, Applicant No.2/husband and the Complainant/wife blessed with 3 daughters. It is alleged that after the birth of third daughter in the year 2010, the Applicants started ill-treating the Complainant and they subjected her to cruelty and harassment saying that she is giving birth to girl children only. The Applicants also harassed her for getting the land recorded in the names of her maternal family members partitioned and registered in their names. In the year 2016, the Complainant again conceived, but Applicant No.2/husband, by feeding her some medicine, got her aborted.
6. Learned Counsel appearing for the Applicants submits that Applicants No.1 and 3 have falsely been implicated in the case. The main allegation is against Applicant No.2/husband. He has been arrested and is in jail. Applicants No.1 and 3 are permanent residents of the address mentioned in the bail application. They are ready to furnish adequate bail bonds and they shall abide by all the conditions imposed by the Court. Therefore, they be admitted to anticipatory bail.
7. Learned Counsel appearing for the State/Respondent, opposing the prayer for bail, submits that there is sufficient evidence available against the Applicants. They have subjected the Complainant to cruelty and harassment and they have ill-treated her.

8. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
9. Considering the facts and circumstances of the case, the allegations made against the Applicants and the evidence collected by the prosecution against them, I am not inclined to release Applicants No.1 and 3 on bail.
10. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Arvind Singh Chandel)
JUDGE