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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1353 of 2018

1. Sateyendra Singh S/o Shri Hirendra Singh, Aged About 32 Years, R/o Q. No. 11, Street No.27, Behind Canra Bank, Kushwaha Parisar, Smriti Nagar Bhilai, Chowki- Smriti Nagar, Thana- Supela, Bhilai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Smt. Dipika Singh W/o Munna Singh, Aged About 38 Years, R/o Ghat Kopar East, Bhim Nagar, Daya bhai Patel Chal, Mumbai, Maharashtra., Maharashtra

---- Applicants

Versus

- The State Of Chhattisgarh Through Police Station- Mahila Thana, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicants – Shri Samir Singh, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Shri Ravi Kumar Bhagat, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-11-2018

1. In this application the prayer made by applicant No.1 Sateyendra Singh for grant of anticipatory bail has already been withdrawn on 10-10-2018.
2. Heard on the prayer made by applicant No.2 Smt. Dipika Singh in this application for grant of anticipatory bail who is apprehending her arrest in connection with Crime No.10/2018, registered at Police Station – Mahila Thana, District- Durg, Chhattisgarh for offence punishable under Section 498-A/34 of the IPC & Section 4 of Dowry Prohibition Act.
3. It is submitted by learned counsel for applicant No.2 Smt. Dipika Singh that this applicant has been falsely implicated in this case. No case is made out against applicant No.2. Similarly placed co-accused persons Smt. Malti Singh, Ruby Singh have been granted anticipatory bail by this Court in MCRCA No.798/2018 vide order dated 27-08-2018. Hence, it is prayed that applicant No.2 Smt. Dipika Singh may also be benefited with grant of anticipatory bail.
4. Learned counsel for the State/non-applicant opposes the application.

5. Heard learned counsel for the parties and perused the case diary.

6. Marriage of co-accused Satyendra Singh with complainant Amrita Singh took place on 18-06-2017. Subsequent to which, the husband of the complainant and her in-laws tortured and treated her cruelly for demand of dowry. The allegation against applicant No.2 Smt. Dipika Singh is this, that she also participated in the torture and cruel treatment that was given to the complainant. Hence, this case.

7. Considered on all the material present in the case diary. Looking to the generality of the statement against applicant No.2 Smt. Dipika Singh and considering this fact that similarly placed co-accused persons have been benefited with grant of anticipatory bail, I of this opinion that applicant No.2 also deserves to be benefited with grant of anticipatory bail.

8. Accordingly, the prayer made by applicant No.2 Smt. Dipika Singh for grant of anticipatory bail is allowed. It is directed that in the event of arrest of applicant No.2 Smt. Dipika Singh in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. Applicant No.2 Smt. Dipika Singh shall also abide by the following conditions :

- (i) that she shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that she 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 she shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil