

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1162 of 2017**

1. Gulam Mosul Azam, aged about 30 years, S/o Shri Haji Shoukat Ali Ahmed (Correct name is Gholam Ghosul Azam Correct age is 32 years), Occupation- Credit Officer- Bank of Baroda Branch Khidarpore Kolkata 23 years,
2. Smt. Shoukat Tabassum, aged about 65 years (Correct age is 57 years), W/o Haji Shoukat Ali Ahmed- House wife,
3. Shoukat Ali Ahmed, aged about 67 years, S/o Late Md. Gulam Rusul Rai (Correct Age 70 years) Retired Army Contractor.
All three are resident of 15-1 Contofer Lane, Tatibagan- near Bel masjid, Ward No. 54, Kolkata Police Station House Benia Pukhar, Kolkata, West Bengal.
4. Shagufta, aged about 26 years (Correct name- Shagufta Yasmin, correct age 36 years) W/o. S.K. Sanaullah, House wife Correct age- 45 years, and address R/o House No. 125 Bhawanjipur, near Aziza School- ward no. 6 Kharagpur- District West Medinapur, West Bengal.
5. Shahid Anwar @ Annu S/o Shaukat Ali Ahmed, aged about 30 years (Correct age, fathers name and address) Age about 47 years S/o Shri Iliyas Sahid- Private job- Resident of House no. 12- Gorachand lane, Kolkata- Police Station house, Benia Pukhar, Kolkata West Bengal.

---- Applicant**Versus**

State of Chhattisgarh Through- Police Station House Jamul District- Durg (C.G.).

---- Respondent

For Applicants	:	Mr. Ashok Verma, Advocate
For Respondent	:	Mr. Sameer Behar, PL
For Objector	:	Mr. Akhilesh Kumar, Objector

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board**22/03/2018**

1. Heard.
2. The applicants have filed this application for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No.328/2017 registered at Police Station-

Jamul District- Durg (C.G.) for the offence punishable under Sections 498-A read with 34 of IPC and Section 4 of Dowry Prohibition Act, 1961.

3. Case of the prosecution in brief is that applicant no. 1- Gulam Mosul Azam is husband of the complainant- Zobbia Khan, Applicant No.2 is mother-in-law, applicant no. 3 is father-in-law, applicant no. 4 is sister-in-law (Nanad) and applicant no. 5 is brother-in-law (Jija) of the complainant. Complainant has filed written complaints i.e. on 20/02/2017 and 15/06/2017 alleging that after the marriage which was solemnized on 27/12/2015, she was subjected to cruelty by the present applicants. It is further submitted that the applicants have demanded dowry also.
4. Learned counsel appearing on behalf of the applicants submits that during the pendency of this petition, applicant no. 1, husband of the complainant was arrested and has been released on bail by the trial Court vide order dated 16/03/2018, therefore, he does not want to press this application on behalf of applicant no.1. It is also submitted that a compromise has already been taken place between the parties. Applicant no. 2 is a house wife who resides with applicant no. 3 separately from applicant no.1, and applicants 4 & 5 also live separately.
5. On the other hand, learned counsel appearing on behalf of the State has opposed the bail application.
6. Considering the facts and circumstances of the case, particularly, considering that since a compromise has already been taken place between the parties and the main accused-

Gulam Mosul has already been released on regular bail by the trial Court, without further commenting on merit of the case, I am inclined to release the applicant on bail.

7. Accordingly, MCRCA No. 1162/2017 is allowed.
8. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a bond in the sum of Rs.25,000/- with one surety each for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:
 - i. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/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. The accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. 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.
9. Certified copy, as per rules.

Sd/-

Judge
Arvind Singh Chandel