

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1117 of 2019

1. Tulsi S/o Ramadhin Aged About 55 Years R/o Village Changeri, Police Station And Tahsil Marwahi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Moti S/o Tulsi Aged About 38 Years R/o Village Changeri, Police Station And Tahsil Marwahi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P. S. Marwahi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicants	: Mr. Abhishek Pandey, Advocate.
For Non-applicant	: Mr. SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

26.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 181/2018 registered at Police Station – Marwahi, District Bilaspur (C.G.) for the offence punishable under Section 498A/34 of the IPC.
3. Case of the prosecution, in brief is that 20 years ago marriage of applicant NO.2 Moti was solemnized with complainant Savitri Bai. Applicant No. 1 Tulsi is her father in law. Applicants were used to harass on account of getting partition in her maternal property.
4. Learned counsel for the applicants submits that they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicant No. 1 Tulsi and one criminal case has been registered against applicant No. 2 Moti under IPC.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if applicant-**Tulsi** furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant- **Moti** furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE