

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 952 of 2019**

1. Suresh Prasad S/o Shri Ram Prasad Aged About 59 Years By Caste- Schedule Caste, Occupation- Govt. Service In SECL, R/o M- 918, Adarshnagar, Police Station- Kusmunda, Tahsil- Katghora, Civil And Revenue District- Korba, Chhattisgarh
2. Smt. Sushma Devi W/o Shri Suresh Prasad Aged About 49 Years By Caste- Schedule Caste, Occupation- House Wife, R/o M- 918 Adarshnagar, Police Station- Kusmunda, Tahsil- Katghora, Civil And Revenue District- Korba, Chhattisgarh
3. Smt. Vandana Kurrey W/o Shri Abhishek Kumar Aged About 31 Years By Caste- Schedule Caste, Occupation- House Wife, R/o B-37, Capital City Phase- 3, Police Station- Pandari Mova, Tahsil- Raipur, Civil And Revenue District- Raipur, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Throgh Station House Officer, Police Station- Kusmunda, District- Korba, Chhattisgarh

---- Non Applicant**MCRCA No. 1081 of 2019**

- Rajeev Prasad S/o Shri Suresh Prasad Aged About 31 Years R/o M- 918 Adarshnagar Kusmunda, P.S. Kusmunda, Tahsil Katghora, Civil And Revenue District Korba Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kusmunda, District Korba Chhattisgarh

---- Non Applicant

For the Applicants : Mr. Sunil Sahu, Advocate

For Non Applicant : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

31.07.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications 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.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.171/2019 registered at Police Station- Kusmunda, District- Korba (C.G.) for the offence punishable under Sections 498-A/34 of the Indian Penal Code.
4. Case of the prosecution, in brief is that applicant Rajeev Prasad is husband of complainant Smt. Madhu Khande. Applicant Suresh Prasad is her father in law. Applicant Smt. Sushma Devi is her mother in law. Applicant Smt. Vandana Kurrey is her Nanad. The marriage of complainant was solemnized with applicant Rajeev Prasad on 15.01.2016. One month after the marriage applicants started to harass her on account of non-payment of Rs.5,00,000/- in lieu of house hold. They asked her to come along with Rs. 5,00,000/- from her maternal house because house loan instalment are to be paid. Her newly born baby was small even then they used to get domestic work from her.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case and he further submits that applicant Rajeev Prasad has filed an application under Section 9 of the Hindu Marriage Act, thereafter she has lodged the FIR thus applicants may be released on anticipatory bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent

against the applicants.

7. Looking to the above mentioned facts and circumstances of the case, looking to the allegations against the applicants, looking to the impact of granting anticipatory bail to the applicants on society, the anticipatory bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

pm