

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 982 of 2019

- Smt. Mamta Soni W/o Late Devendra Soni Aged About 48 Years, R/o Ward No. 8, in Front Of Sarovar Pond, Manendragarh, Police Station & Tahsil- Manendragarh, District- Koriya, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station- Manendragarh, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Sunita Sahu, Advocate.

For Respondent : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

01/08/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.137/2019 registered at Police Station- Manendragarh, District–Koriya(C.G.), for the offence punishable under Section 498-A, 354, 294, 506, 511, 34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. There is no specific allegation made against this applicant by the complainant. Apart from that the dispute between the applicants and other accused person with complainant Dipika Soni has been settled because of which the complainant has sworn an affidavit making statement in favor of the applicant and also statement that she does not want to prosecute the

case against the applicant and others, hence, it is prayed that she may be enlarged on anticipatory bail.

3. Learned State counsel opposes bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the prosecution story, complainant Dipika Soni was married to co-accused Divyang Soni. It is alleged that soon after marriage her husband and in-laws tortured the complainant by stating, that the dowry brought is not sufficient and, further, made demand of Rs.2.5 lakhs, regarding which the complainant was treated with cruelty. There is allegation against co-accused Sagar Soni that he outraged the modesty of the complainant regarding which FIR has been lodged.
6. Considered on the material present in the case diary. The allegations of demand of dowry and torture made are general in nature. Further, the affidavit of complainant is filed is original along with the application which is a statement in support of the applicant and others, therefore, under these circumstances, I feel inclined to allow the application of this applicant.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha