

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 1085 of 2019

- Shailendra Dewangan S/o Late Shri Mannu Lal Dewangan Aged About 39 Years R/o Mahanaya Chowk, Palari, Police Station Palari, District-Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Palari, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

AndMCRCA No. 1086 of 2019

- Premnarayan Dewangan S/o Late Shri Mannu Lal Dewangan Aged About 40 Years R/o Baghel Colony Palari, Police Station Palari, District-Balodabazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Palari, District- Balodababazar-Bhatapara, Chhattisgarh.

---- Respondent

AndMCRCA No. 1089 of 2019

- Manohar Dewangan S/o Late Shri Dashrath Lal Dewangan, Aged About 56 Years R/o Mahamaya Chowk, Palari, Police Station Palari, District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Palari, District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicants	:	Shri Ashutosh Trivedi, Advocate.
For Respondent/ State	:	Shri Wasim Miyan, PL
For Objector	:	Smt. Sunita Sahu, Advocate

Hon'ble Smt. Justice Rajani Dubey
Order on Board

08/08/2019

1. As all these applications (MCRCA) are arising out of the same crime number, they are being disposed of by this common order.
2. These are the three applications filed by the applicants under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who are apprehending their arrest in connection with Crime No. 245/2019, registered at Police Station Palari, District Balodabazar, Bhatapara(CG) for the offence punishable under Sections 498(A)/ 34 of the IPC.
3. Case of the prosecution is that, complainant was married to Parasram Dewangan on 29.4.2018 according to Hindu customs and rituals. After marriage her husband and the present applicants, who are brothers-in-law and uncle-in-law (Chacha Sasur) of the complainant started the complainant treating with cruelty. They were harassing and beating her on small issues on which she lodged a report against the applicants.
4. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in this case. He submits that the applicants are brothers-in-law and uncle-in-law of the complainant and they are not living with the complainant and main allegations are against the husband of the complainant, therefore, the applicants may be released on anticipatory bail.
5. On the other hand, counsel for the State and counsel for the Objector, oppose the applications for anticipatory bail.
6. I have heard learned counsel the parties and perused the case-diary.
7. Considering the totality of the facts and circumstances of the case, particularly considering that the applicants are brothers-in-law and uncle-

in-law of the complainant and main allegations are against the husband of the complainant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the applications filed under Section 438 Cr.P.C. are allowed.

8. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on each of them furnishing a personal bond in the sum of Rs. 25,000/- with one surety each for the like sum to the satisfaction of the officer arresting them. They shall abide by all the terms and conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

9. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE