

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1190 of 2019**

1. Praveen Kumar S/o Krishna Prasad Aged About 40 Years
2. Smt. Chandrakanti Prasad W/o Krishna Prasad Aged About 62 Years
3. Shashiprabha D/o Krishna Prasad Aged About 35 Years

All R/o Ram Apartment, Ram Vatika, Ramdih Chowk, Sector 9, Post Bokaro Steel City, District Bokaro (Jharkhand).

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Women Cell, Ambikapur, District Sarguja Chhattisgarh.

---- Respondent

For Applicants	:	Shri C.J.K. Rao, Advocate.
For Respondent.	:	Ms. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

19/08/2019

1. This is the first application 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. 18/2019, registered at Police Station Women Cell, Ambikapur, District Sarguja(CG) for the offence punishable under Section 498-A, 34 of the IPC.
2. Case of the prosecution is that the complainant, who was married to applicant No.1, lodged a report against the applicants that they treated her with cruelty on account of demand of dowry. They abused and beaten her and ousted from house. Applicant No.1 is husband of the complainant and applicant Nos. 2 and 3 are family

members of the husband of the complainant.

3. Learned counsel for the applicants submit that the complainant was married to applicant No.1 on 5.12.2015 at Jharkhand and after her marriage, she was residing with her husband at Delhi and applicants Nos. 2 and 3 are residing at village, therefore, harassment by applicants 2 and 3 is not possible. He submits that the complainant do not want to live with her husband, therefore, she has lodged a false report. The applicants are innocent and have been falsely implicated in this case. He prays for releasing the applicants on anticipatory bail.
4. Counsel for the State, however, opposes the application for anticipatory bail.
5. I have heard learned counsel both the parties and perused the case-diary.
6. Considering the totality of the facts, in particular, the allegations are against applicant No.1, the bail application filed under Section 438 Cr.P.C. on behalf of applicant No.1-Praveen Kumar is rejected and considering the fact that applicants 2 and 3 were residing at village, the bail application filed under Section 438 Cr.P.C. on behalf of applicants 2- Smt. Chandrakanti Prasad and 3- Shashiprabha is allowed.
7. It is directed that in the event of arrest of the applicants 2- Smt. Chandrakanti Prasad and applicant No.3- Shashiprabha 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.

8. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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