

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1180 of 2019**

1. Abdul Kalam S/o Mohd. Ishak Memon Aged About 26 Years Occupation - Business R/o Village Singpur, Post - Singpur Police Station Magarload, District - Dhamtari Chhattisgarh.
2. Mohd. Ishak Memon S/o Late Suleman, Aged About 52 Years Occupation Farmer And Business R/o Village Singpur, District Dhamtari Chhattisgarh.

---- Applicants**Versus**

1. State Of Chhattisgarh Through The Collector, District Dhamtari Chhattisgarh.
2. Station House Officer, Police Station City Kotwali, Dharmtari, District Dhamtari Chhattisgarh.

---- Respondents

For Applicants	:	Shri Prateek Sharma, Advocate.
For Respondent.	:	Shri B.L. Sahu, 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. 299/2019, registered at Police Station City Kotwali, Dhamtari (CG) for the offence punishable under Section 498-A of the IPC.
2. Case of the prosecution is that complainant Smt. Afsa Afrin lodged a report that she was married to applicant No.1- Abdul Kalam and after some time of the marriage, her husband and his family members were started her treating with cruelty on account of demand of dowry. Applicant No.2 is father-in-law of the complainant.

The applicants abused and beaten her and applicant No.1 left the complainant to her parental house.

3. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in this case. He further submits that the complainant herself wants to live at her parental house. 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 nature of allegations against the applicants, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application filed under Section 438 Cr.P.C. is allowed.
7. 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.
8. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

