

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1299 of 2019

1. Smt. Kanti Manhar W/o Late Chhatram Aged About 55 Years, caste Satnami, R/o Khairtal, Police Station And Tahsil Navagarh District Janjgir Champa Chhattisgarh, At Present R/o Rajgamar, Tahsil Korba, District Korba Chhattisgarh.
2. Aruna Nirala D/o Late Chhatram Aged About 33 Years Caste Satnami R/o Khairtal, Police Station And Tahsil Navagarh District Janjgir Champa Chhattisgarh, At Present R/o Rajgamar , Tahsil Korba, District Korba Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Chowki Rajgamar, Police Station Balco Nagar Korba, District Korba Chhattisgarh.

---- Respondent

For Applicants	: Mr. Pushpendra Kumar Patel, Advocate.
For Respondent/State	: Mr. Sushil Sahu, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/10/2019

1. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 245/2019, registered at Police Chowki Rajgamar, Police Station Balco Nagar Korba, Distt. Korba, Chhattisgarh for the offence punishable under Sections 498-A & 34 of the IPC and Sections 4 & 5 of Tonhi Pratarna Adhiniyam.
2. In this case, Applicant No. 1 is the mother-in-law and Applicant No. 2

is the sister-in-law of complainant Sushila Manhar. As per prosecution story, the complainant got married with co-accused Ajay Manhar allegedly, after the marriage Ajay Manhar as well as both the applicants have tortured the complainant on account of demand of dowry and they even used to call her *tonhi*.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that only general allegations have been made against the applicants. He lastly submits that both the applicants are lady and reputed persons of their society, they are the permanent resident of above mentioned address and there is no chance of their absconding, therefore, they may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that both the applicants are lady and only general allegations have been made against them. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicants shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:-

- I. That the accused/applicants shall made themselves available for interrogation before the concerned Investigating Officer as and when required;
- II. The accused/applicants 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. The accused/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicants shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge