

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 1393 of 2019**

1. Neelam Patel W/o Shri Satish Patel Aged About 41 Years R/o House No. 123, Block - C, Sector 01, Main Road, Devendra Nagar Police Station Devendra Nagar Tahsil And District Raipur Chhattisgarh 9301242138.
2. Bina Patel W/o Shri Chhatrapal Patel Aged About 39 Years R/o Ward No. 36 Rajkishore Nagar, Torwa Naka Bilaspur Police Station Torwa, Tahsil And District Bilaspur Chhattisgarh. 9329806260.

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Mahila Thana, Crime No. 14/2019 District Raipur Chhattisgarh.

**---- Respondent**

**AND**

**MCRCA No. 1391 of 2019**

1. Ghanshyam Patel S/o Late Shri Gadharai Aged About 67 Years R/o 38, Bichbasti, Navapara Mand, Village Dhangaon, Post Putkapuri Police Station And Tahsil Pusour, District Raigarh Chhattisgarh. 8120715369
2. Ambika Devi Patel S/o Shri Ghanshyam Patel Aged About 65 Years R/o 38, Bichbasti, Navapara Mand, Village Dhangaon, Post Putkapuri Police Station And Tahsil Pusour, District Raigarh Chhattisgarh. 8120715369

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Mahila Thana, Crime No. 14/2019 District Raipur Chhattisgarh.

**---- Respondent**

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For Applicants : Mr. Vijay K. Deshmukh, Advocate.  
For Respondent/State : Ms. Seema Dixit, Panel Lawyer.

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**18/10/2019**

1. The Applicants have filed these bail applications for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 14/2019, registered at Police Station Mahila Thana, Distt. Raipur, Chhattisgarh for the offence punishable under Sections 498-A & 34 of the IPC.
2. In this case, there are total five accused persons. Applicant No. 1 Ghanshyam Patel and Applicant No. 2 Ambika Devi Patel (in MCRCA No. 1391/2019) are the mother-in-law and father-in-law of the complainant. Applicant No. 1 Neelam Patel and Applicant No. 2 Bina Patel (in MCRCA No. 1393/2019) are the sisters-in-law of the complainant. As per prosecution story, complainant Khushbu married with co-accused Chitrakant on 23.04.2017, allegedly, after the marriage of the complainant, the Applicants as well as co-accused Chitrakant started torturing and harassing her on account of dowry demand, therefore, on being harassed and tortured by the Applicants and co-accused, on 30.07.2019, she lodged a complaint before police station. On the basis of said complaint offence has been registered.
3. Learned counsel appearing on behalf of the Applicants submits that

the Applicants are innocent and have been falsely implicated by the complainant in the present case. No case can be made out against the Applicants. Since, the complainant was resided only 6-7 days with the Applicants thereafter she was residing with her husband in Ahmedabad Gujarat, therefore, the Applicants harassed and tortured the complainant is not acceptable. He further submits that the complainant herself left her husband's house and resides in her maternal house and when she got a notice of divorce sent by her husband, she lodged a false report. He lastly submits that the Applicants are the 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 applications.
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. Without further commenting on merits of the case, in my considered opinion, these are the fit cases for grant anticipatory bail to the Applicants.
7. Accordingly, the anticipatory bail applications are allowed.
8. It is directed that in the event of arrest, the Applicants shall be released on bail on each of them 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**