

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1493 of 2019

1. Manohar Lal Bhatiya S/o Late Meghraj Bhatiya Aged About 68 Years
R/o D-407, Sector-5, Tagore Nagar, District Raipur, Chhattisgarh.
2. Renulata Bhatiya W/o Manohar Lal Bhatiya Aged About 60 Years R/o
D-407, Sector-5, Tagore Nagar, District Raipur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station City Kotwali, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Sanjay Agrawal, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

03/12/2019

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. 356/2019, registered at Police Station City Kotwali, Distt. Raipur (C.G.) for the offence punishable under Sections 498, 323 & 34 of the IPC.
2. The applicants are the father-in-law and mother-in-law of the complainant Shalini. As per prosecution story, marriage between complainant and son of the applicants was solemnized on 18.10.2013, out of their wedlock they have blessed with a child. On 18.07.2019, a report was lodged by the complainant alleging therein that after the marriage, the applicants as well as her husband harassed her and tortured her on account of demand of dowry. On

the basis of said report, offence has been registered.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. Only general allegations have been made against the applicants. The applicants are old persons aged about 68 years and 60 years. He further submits that in the year 2017 also, she lodged a complaint before concerned police station against her husband. He lastly submits that the applicants are old and reputed persons of their society, they are the permanent resident of above mentioned address and there is no chance of their absconding. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for 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 the applicants are the father-in-law and mother-in-law of the complainant and only general allegations have been made against the applicants. Without further commenting on other 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 each of them furnishing a personal bond in the sum of Rs. 20,000/- 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 them by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge