

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1566 of 2019

1. Agrasen Ratre S/o Shri Ramratan Ratre Aged About 29 Years Polcie Constable, Railway Police Rapur, R/o Village Kodabhaat, Caste Satnami, Police Station Paamgarh, Tahsil Paamgadh, District- Janjgir-Champa, Chhattisgarh.
2. Ramratan Ratre S/o Shri Shobharam Ratre Aged About 55 Years R/o Village Kodabhaat, Caste Satnami, Police Station Paamgarh, Tahsil Paamgadh, District- Janjgir-Champa, Chhattisgarh.
3. Shanti Ratre W/o Shri Ramratan Ratre Aged About 54 Years R/o Village Kodabhaat, Caste Satnami, Police Station Paamgarh, Tahsil Paamgadh, District- Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer Singhoda, Police Station Singhoda, Tahsil Saraipali, Civil And Revenue District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Praveen Dhurandhar, Advocate.
For Respondent/State	: Mr. Ajay Kumrani, P.L.
For Objector	: Mr. Parasmani Shrivastava, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/12/2019

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. 103/2019, registered at Police Station Singhoda, Distt. Mahasamund (C.G.) for the offence punishable under Sections 498 (A)/34 of the IPC.

2. As per prosecution story, applicant no. 1 Agrasen Ratre is the husband of complainant, their marriage was solemnized on 24.05.2015, out of their wedlock they have blessed with one daughter aged about 3 years. Applicant no. 2 Ramratan Ratre and Applicant No. 3 Shanti Ratre are the father-in-law and mother-in-law of the complainant. On 04.04.2019, a written complaint has been submitted by complainant alleging therein that after the marriage the applicants have harassed her and applicant no. 1 demanded Bullet Motorcycle as a dowry and also by saying that the complainant have to give her full payment to them. It is further alleged that on 27.08.2018, applicant no. 1 who is a police constable, on the same ground assaulted the complainant. Applicant no. 1 also having an illicit relationship with another lady namely Mamta and kept her in a rented house at Raipur. He used to sent obscene pictures of him and Mamta to the complainant for mentally torturing her. Applicant No. 1 done treatment of Mamta in a hospital wherein he placed his name as a husband of Mamta. On the basis of said complaint, offence has been registered.
3. After arguing at length learned counsel appearing on behalf of the applicants submits that he does not want to press this bail application with regard to Applicant No. 1. and only prays for grant of anticipatory bail with regard to Applicants No. 2 & 3. However, he prays that in the event of filing of bail application under Section 439 of Cr.P.C. before the Trial Court, Trial Court may directed to decide the said application in accordance with law preferably on the same day of its filing.
4. Learned counsel appearing on behalf of applicants No. 2 & 3 submits that the applicants are fully innocent and falsely implicated in the present case. They are only in-laws of the complainant. They are separated from Applicant No. 1. Only general allegations have been made against them. Hence, it is prayed that applicants No. 2 &

3 may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State and objector opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary minutely.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by the learned counsel appearing for the parties and further considering the fact that applicants No. 2 & 3 are only the in-laws of the complainant. They are separated from Applicant No. 1, only general allegations have been made against them. Without further commenting on other merits of the case, in my considered opinion, applicants no. 2 & 3 are entitled to grant of anticipatory bail.
8. Accordingly, the anticipatory bail application is allowed with regard to applicants no. 2 & 3.
9. It is directed that in the event of arrest, applicants no. 2 & 3 shall be released on bail on each of them furnishing a personal bond in the sum of Rs. 25,000/- with one solvent 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.

10. However, in the event of filing of bail application under Section 439 of Cr.P.C. with regard to applicant no. 1 Agrasen Ratre before the Trial Court, Trial Court is directed to decide the said application in accordance with law preferably on the same day of its filing.

Sd/-

(Arvind Singh Chandel)
Judge