

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1678/2019

1. Smt. Hasina Taj W/o. Kadir Ali, aged 70 years
2. Tarannum Begam W/o. Amjad Ali, aged 37 years

Both above R/o. Masjid Road, Khursipaar, Bhilai, District Durg (CG)

VERSUS

State of Chhattisgarh, through Station House Officer, Pulgaon, Distt. Durg.

For applicants : Mr. Anurag Jha, Adv.

For non-applicant : Mr. Ravi Maheshwari, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

5-11-2019

1. This is second application for grant of anticipatory bail under Section 438 of the Cr.P.C. preferred by the applicants.
2. The applicants are apprehending their arrest in connection with Crime No. 270/2019 registered at Police Station- Pulgaon, Distt. Durg (C.G.) for offence punishable under Section 498-A of the Indian Penal Code.
3. The first application for grant of anticipatory bail of the applicants was dismissed for want of prosecution by this Court vide order dated 2-8-2019 passed in M.Cr.C.(A) No.954/2019.

4. Case of the prosecution, in brief is that the applicant No. 1 is the mother-in-law of complainant Ayasha Begum. Said complainant is married with Amjad Ali. Applicant No. 2 is another wife of Amjad Ali. Since 2015, applicant No. 2 Tarannum Begum was abusing and harassing said complainant. Applicant No. 1 was supporting applicant No. 2. On 19-5-2019 both the applicants harassed said complainant and said her to commit suicide along with children.
5. Counsel for the applicants submits that the applicants have no criminal background. They are innocent persons and have been falsely implicated in the present case, therefore, they may be granted anticipatory bail.
6. On the other hand, counsel for the State opposes the bail application, however he submits that there is no criminal antecedent against the applicants as per police case diary.
7. Looking to the above mentioned facts and circumstances of the case, this Court is inclined to give benefit of Section 438 of the Cr.P.C. to the present applicants.
8. Consequently, MCRCA is allowed.
9. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them executing a personal bond in sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :

(i) that the applicants shall make themselves available for interrogation before the concerned police officer as and when required;

(ii) that the applicants shall not, directly or indirectly, make any inducement, threat, undue influence to the prosecution witnesses.

(iii) the applicants shall appear before the trial Court by 11:00 am on each and every date given to them by the concerned Court till disposal of the trial.

10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

pathak/-