

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1533 of 2019**

- Smt. Hemnita Sahu, W/o Hori Lal Sahu Aged About 40 Years R/o Village Rajapara, Devbhog, Police Station and Tahsil Devbhog, District Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Respondent**MCRCA No. 1623 of 2019**

1. Bhavesh Sahu, S/o Late Panna Lal Sahu Aged About 33 Years R/o Ramkundpara, Raipur, P.S. Azad Chowk, Raipur District Raipur, Chhattisgarh.
2. Champa Lata Sahu W/o Late Panna Lal Sahu Aged About 59 Years R/o Ramkundpara, Raipur, P. S. Azad Chowk, Raipur, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Kurud, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants	: Shri Raghvendra Pradhan, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**05/12/2019**

1. Heard.
2. Since, both the cases arise out of same crime number, therefore, they are being decided by this common order.

3. The Applicants are apprehending their arrest in connection with Crime No. 419/2019 registered at Police Station Kurud, District - Dhamtari, (C.G.). for the offence punishable under Sections 498-A/34 of Indian Penal Code.
4. In this case, applicant Hemnita Sahu (MCRCA No. 1533/2019) is the sister-in-law (*nanand*) of the complainant Khileshwari Sahu. Applicant No. 1 Bhavesh Sahu and Applicant No. 2 Champa Lata Sahu (MCRCA No. 1623/2019) are the brother-in-law (*jeth*) and mother-in-law respectively of the complainant. Marriage between complainant Khileshwari and her husband was solemnized on 27.04.2018. After marriage, all the applicants and husband of the complainant used to commit *marpit* with the complainant for demand of dowry. In this regard, social meetings were also conducted but after that, again complainant was harassed and tortured. On 30.08.2019, complainant made a report and on the basis of the said, offence has been registered.
5. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is further submitted that only general allegations have been made against the applicants. Applicant Hemnita Sahu is *nanand* of the complainant and she is a married lady and used to live separate. Applicant No.1 Bhavesh and applicant No. 2 Champa Lata Sahu are *jeth and mother-in-law* of complainant. He further submits that main allegation is against the husband of the complainant. Complainant is residing separate from her in-laws from 19.06.2018 and report has been made after a gap of two months. Thus, it is prayed that, present applicants may be extended the benefit of anticipatory bail.
6. Learned Counsel appearing for the State opposes the bail application.
7. I have heard learned Counsel appearing for the parties and perused the material available with due care.

8. Taking into consideration the submissions put-forth on behalf of the parties and considering the fact and circumstances of the case, evidence collected by the prosecution and particularly considering the fact that only general allegations have been made against applicants and main allegation is against the husband of the complainant, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.

9. Accordingly, the bail application are allowed.

10. It is directed that in the event of arrest of the Applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. They shall also abide by all the following terms and conditions :

- (i) They 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 fact to the Court,
- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They 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