

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1782 of 2019

1. Dhanraj Sahu S/o Balmukund Sahu Aged About 58 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
2. Smt. Parag Bai Sahu W/o Dhanraj Sahu Aged About 52 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
3. Ravi Kiran S/o Dhanraj Sahu Aged About 32 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
4. Smt. Yamini Sahu W/o Ravi Kiran Sahu Aged About 29 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
5. Dinesh Kumar Sahu S/o Balmukund Sahu Aged About 53 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
6. Smt. Sonkunwar W/o Shri Dinesh Sahu Aged About 48 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
7. Ku. Neetu Sahu D/o Dinesh Sahu Aged About 19 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.
8. Ku. Neelam Sahu D/o Dinesh Sahu Aged About 19 Years R/o Village Medki, Post Baghmara, Police Station, Tahsil And District Balod, Chhattisgarh.

---- Applicants

Versus

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

---- Respondent

For Applicants	: Mr. B.P. Singh, Advocate.
For Respondent/State	: Ms. Seema Dixit, P.L.
For Objector	: Mr. Prasoon Agrawal, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/12/2019

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. 444/2019, registered at Police Station Balod, Distt. Balod(C.G.) for the offence punishable under Sections 498 (A)/34 of the IPC.
2. As per prosecution story, Marriage between Ajay Sahu and complainant Kushali Sahu was solemnized on 19.04.2018 at village Medki, District Balod. Applicant No. 1 and applicant No. 2 are the Father-in-Law and Mother-in-Law of the complainant, applicant No. 3 and applicant No. 4 are the Brother-in-Law and Sister-in-Law of the complainant, applicant No. 5 and applicant No. 6 are the uncle and aunt of the complainant and applicant No. 7 and applicant No. 8 are the daughters of applicants no. 5 & 6. On 16.10.2019, a written complaint has been filed by the complainant alleging therein that after 10-15 days of her marriage, the applicants used to comment her that she carried less dowry with her and demanded Rs. 2 lacs as a dowry. On this ground they used to beat her, when she was pregnant, her husband kicked her on her stomach, thereafter when she blessed with one daughter, the applicants expelled her from their house by saying that we want son not a daughter. On social meeting also, the applicants denied to keep her with them. In September 2019, when she went to her husband even then he refused to keep

her with him and committed *Marpeet* with her. 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 in the present case. She herself does not want to live with them in their village, only general allegations have been made by her, all the allegations have been leveled against the co-accused/husband. The Counsel further submits that there was a delay also for about one month in lodging the FIR. 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. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State and objector opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary minutely.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by the learned counsel appearing for the parties. Without further commenting on other merits of the case, in my considered opinion, the applicants are entitled to grant of anticipatory bail.
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. 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.

Sd/-

(Arvind Singh Chandel)
Judge