

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRCA No. 38 of 2020**

1. Ramakant Tiwari S/o Late Navrang Tiwari Aged About 65 Years R/o Village Tetardih, Police Station Ranka District Garhwa (Jharkhand).
2. Smt. Neera Devi W/o Ramakant Tiwari Aged About 60 Years R/o Village Tetardih, Police Station Ranka District Garhwa (Jharkhand).
3. Ranjan Tiwari S/o Ramakant Tiwari Aged About 21 Years R/o Village Tetardih, Police Station Ranka District Garhwa (Jharkhand).
4. Raju Tiwari S/o Ramakant Tiwari Aged About 18 Years R/o Village Tetardih, Police Station Ranka District Garhwa (Jharkhand).

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through Mahila Police Station Ambikapur, District Surguja Chhattisgarh.

**---- Respondent**

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| For Applicants       | : Mr. A.N. Pandey, Advocate. |
| For Respondent/State | : Mr. Anand Verma, Dy. G.A.  |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**31/01/2020**

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. 44/2019, registered at Police Station Mahila Thana, Ambikapur, Distt. Surguja (C.G.) for the offence punishable under Sections 498(A) of the IPC.
2. Applicants Ramakant Tiwari and Smt. Neera Devi are the father-in-law and mother-in-law and applicants Ranjan Tiwari and Raju Tiwari are the brothers-in-law of the complainant. As per prosecution story, on 17.04.2016, marriage between complainant Rubi Tiwari was

solemnized with co-accused Ranjeet Tiwari. On 07.09.2019, complainant lodged a report against the applicants alleging therein that after her marriage, co-accused/husband Ranjeet Tiwari and the applicants had demanded a motorcycle and Rs. 1,50,000/- for business purpose with her, at the time of her pregnancy, they don't even take care of her and they wanted to perform second marriage of her husband. In the year 2017, she blessed with a daughter in her parents' home and thereafter when she went to her husband, she was treated with cruel behavior. It has been further alleged that the husband of the complainant also tried to kill her baby. 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. He further submits that the complainant has residing separately since 14.06.2017, only general allegations have been made against the applicants, the main allegations have been made against the husband of the complainant. The Counsel further submits that there was also a delay in lodging the FIR and no proper explanation has been given by the prosecution in this regard. The counsel finally submits that the applicants are the reputed person of their society, they are permanent resident of above mentioned address and there is no chance of their absconding, therefore, they 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 and perused the case diary.
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 facts that the complainant has residing separately since 14.06.2017, only

general allegations have been made against the applicants and there was a delay in lodging the FIR. 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. 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**