

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 116 of 2020**

1. Manishankar Dinkar, son of Late Bahatara, aged about 49 years,
2. Smt. Krishna Dinker, wife of Manishankar, aged about 45 years,

Applicants No.1 and 2 are resident of village Baghelkampa, Police Station Takhatpur, Tehsil Takhatpur, District Bilaspur, CG

3. Shayam Sunder Sonwani, son of late Dharamdas Sonwani, aged about 41 years, resident of Village Koua, Police Station Takhatpur, Tehsil Takhatpur, District Bilaspur, CG

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Non-Applicant

For Applicant : Mr. UKS Chandel, Advocate.

For Non-Applicant : Mr. Ravish Verma, Govt. Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****10/08/2020 :**

1. The applicants have preferred this application for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.381/2019, registered at Police Station Takhatpur, District Bilaspur for offences punishable under Section 302/34 of

the IPC and Sections 3 & 4 of the Dowry Prohibition Act.

2. The applicants are parents of one Bhupendra, who committed murder of his wife Kamna and thereafter himself committed suicide. This incident occurred on 24.8.2018. The concerned Police registered the FIR on 26.12.2019 for offence under Section 302/34 of the IPC and under Section 3 & 4 of the Dowry Prohibition Act.
3. FIR read out by the learned State Counsel would reveal that the allegations against the present applicants are concerning demand of dowry. However, it is an admitted fact that the deceased was murdered and was not subjected to dowry death. It is for this reason the police has not yet registered the offence under Section 304-B of the IPC against these applicants.
4. Considering the fact that the allegations against the present applicants are mainly in respect of offence under Section 3 & 4 of the Dowry Prohibition Act; till date there is no material against them in the case diary as to in what manner they have shared common intention when their son committed murder of deceased Kamna and also for the reason that this Court has already allowed interim bail to the applicants on 28.5.2020, present is considered to be a fit case for exercising power under Section 438 of the CrPC.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (i) they shall not influence the witnesses during trial.
- (ii) they shall make themselves available for interrogation by a police officer as and when required;
- (iii) 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 from disclosing such facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve