

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 66 of 2020**

1. Angoori Khatun D/o Mohammad Halim, aged about 19 years R/o Durganagar, Birgaon, P.S. Urla, District Raipur (C.G.)
2. Ahmadi Khatun D/o Mohammad Halim, aged about 17 years R/o Durganagar, Birgaon, P.S. Urla, District Raipur (C.G.)

---- Applicants**Versus**

State of Chhattisgarh through Station House Officer, Police Station Urla, District Raipur (C.G.).

---- Respondent

For Applicants	:	Mr. Rahil Arun Kochar, Advocate
For Respondent	:	Mr. Ghanshyam Patel, Govt. Advocate
For Objector	:	Mr. Vinay Nagdev, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board**10/06/2020**

1. The matter is heard through video conferencing.
2. The applicants have filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as they are apprehending his arrest in connection with Crime No. 579/2019 registered at police station – Urla, District Raipur (C.G.) for the offence punishable under Sections 498-A, 376, 323, 506 read with 34 of the Indian Penal Code.
3. In this case there are six accused persons. According to the case of the prosecution, the marriage of the Prosecutrix was solemnized with co-accused Mohamad Saddam on 31/10/2019. On 20/12/2019, a report has been lodged by the Prosecutrix alleging therein that after

the marriage the applicants and other co-accused persons used to torture and harass her for the demand of dowry of Rs. 5,00,000/-. They also misbehaved, abused and beaten her. It was further alleged by her that on 19/12/2019, her father-in-law Mohammad Halim committed rape with her. On the basis of this report, offence has been registered.

4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. The main allegation is against co-accused Mohammad Halim who has already been granted temporary bail by the coordinate bench of this Court. He further submits that other co-accused have also been enlarged on regular bail. Referring to the statement of the Prosecutrix recorded under Section 164 of the Cr.P.C, it is submitted that only general allegations have been made by the complainant against the applicants and there is no specific allegation against them. Both the applicants are girls aged about 19 and 17 years, respectively.
5. Learned counsel appearing on behalf of the State and Objector oppose the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case and the argument advanced by counsel for the parties, particularly considering the statement of the Prosecutrix recorded under Section 164 of the Cr.P.C, without further commenting on other merit of the case, I am inclined to release the applicant on anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 - i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/applicant 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/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
10. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge