

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 131 of 2020

1. Smt. Sitara Bano W/o Mohammad Kalander Aged About 55 Years
R/o Afroz Bag, Moudahapara, Raipur, Tahsil And District - Raipur
Chhattisgarh.
2. Smt. Sheeba Khatun D/o Mohammad Kalander Aged About 24 Years
W/o Abdul Islam, R/o Krishna Kumar Road, Raipur, Tahsil And
District - Raipur Chhattisgarh.
3. Smt. Tabassum Bano, D/o Mohammad Kalander, Aged About 33
Years W/o Abdul Sajid, R/o Krishna Kumar Road, Raipur, Tahsil And
District Raipur Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Mahila Thana, Raipur, District - Raipur Chhattisgarh.

---- Respondent

For Applicants : Mr. Praveen Das, Advocate.
For Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/03/2020

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. 41/2019, registered at Police Station Mahila Thana, Distt. Raipur (C.G.) for the offence punishable under Sections 498-A/34 of the IPC.
2. As per prosecution story, applicant no.1 is the mother-in-law and applicants no.2 & 3 are the sisters-in-law of the complainant Jeenat Jahan. Marriage between complainant and co-accused Zuber Ahmad was solemnized in the year 2013. On 05.10.2019, a written complaint has been filed by the complainant alleging therein that after her marriage, the applicants and her husband/co-accused

tortured her on account of demand of dowry and also threatened her for *Triple Talaak*. On the basis of said background, 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 applicant no. 1 is an old lady aged about 55 years and applicants no. 2 & 3 are married sisters-in-law of the complainant who are residing separately with their family. The Counsel further submits that only general allegations have been made against the applicants. Co-accused/husband of the complainant has already granted benefit of regular bail. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for both 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 both the counsel appearing for the parties and further considering the facts that only general allegations have been made against the applicants and co-accused/husband of the complainant has already granted benefit of regular bail. Without further commenting on 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 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 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