

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.198 of 2020

1. Ashish Kumar Shaw, S/o Dr. Shashank Shekhar Shaw, Aged About 31 Years
2. Dr. Shashank Shekhar Shaw, S/o Panchanand, Aged About 62 Years
3. Smt. Priti Bala, W/o Shashank Shekhar Shaw, Aged About 57 Years

All R/o C-11, Green Valley Colony, Vishal Nagar, Raipur, District Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh, Through Mahila Thana, District Ambikapur Chhattisgarh

---- Respondent

For Applicants
For Respondent

Shri Ashish Gupta, Advocate
Shri Adil Minhaj, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

17/06/2020

1. The applicants have preferred this bail application under Section 438 of CrPC, as they are apprehending their arrest in connection with Crime No.01/2020, registered at Police Station Mahila Thana, Ambikapur, District Sarguja (C.G.), for the offence punishable under Section 498A read with Section 34 of IPC.
2. The applicant No.1 was married with the complainant Smt. Preeti Shaw on 06.05.2017. There appears matrimonial dispute between the parties, in which both the parties would make allegation against

each other. According to the complainant, after the medicine shop business of her husband was closed, the accused persons started demanding Rs.5 Lakhs and ill treated her. She was also made to abort fetus.

3. According to the applicants, the present FIR is counter-blast to the divorce petition filed on 06.11.2019, of which notices were served on the complainant immediately before 06.01.2020 when the FIR has been lodged.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering that the divorce petition was filed prior in point of time and the offence is triable by the JMFC as also for the reason that the applicant Nos.2 & 3 are old persons, this Court is inclined to grant benefit of anticipatory bail to the applicants.
6. Accordingly, the bail 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 make themselves available for interrogation by a police officer as and when required.
 - (ii) 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/-
Prashant Kumar Mishra
Judge