

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.378 of 2020

1. Aditya Pandey, S/o Pawan Kumar Pandey, Aged About 31 Years
2. Pawan Kumar Pandey, S/o Babulal Pandey, Aged About 58 Years
3. Smt. Patibha Devi Pandey, W/o Pawan Kumar Pandey, Aged About 51 Years

All R/o Face - 2, Ashok Vihar, Science College Road, Thana Sarkanda, District Bilaspur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Chowki, Adhbhar, Thana Malkharoda, District Janjgir Champa, Chhattisgarh

---- Respondent

MCRCA No.476 of 2020

- Ashish Kumar Pandey, S/o Pawan Kumar Pandey, Aged About 33 Years, R/o Face - 2, Ashok Vihar, Science College Road, Thana Sarkanda, District Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Chowki, Adhbar, Thana Malkharoda, District Janjgir Champa, Chhattisgarh

---- Respondent

For Applicants
For Respondent-State
For Objector

Shri Parag Kotecha, Advocate
Ms. Fouzia Mirza, Addl. AG
Shri Amit Soni, Advocate

Proceeding through Video Conferencing

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

26/06/2020

1. The applicants have preferred these bail applications under Section 438 of CrPC, as they are apprehending their arrest in connection with Crime No.34/2020, registered at Police Station Malkharoda, District Janjgir-Champa (C.G.), for the offence punishable under Section 498A read with Section 34 of IPC
2. The applicant Ashish Kumar Pandey in MCRCA No.476/2020 is the husband of the complainant, whereas the applicants Aditya Pandey, Pawan Kumar Pandey and Pratibha Devi Pandey in MCRCA No.378/2020 are the relatives of the husband. The complaint has been lodged by Anjali Tiwari, who was married with Ashish Kumar Pandey on 07.07.2019. It is alleged that despite having satisfied frequent demands, the husband and other relatives kept on demanding Rs.10 Lakhs more and 15 tolas gold and she was subjected to cruelty for satisfying the demand.
3. This Court has already allowed interim anticipatory bail to the applicants on 27.05.2020. The applicant Ashish Kumar Pandey is an Ayurvedic Doctor, therefore, services may be required by the State during this COVID-19 pandemic. The other applicants are the relatives of the husband Ashish Kumar Pandey.
4. Learned State counsel and the counsel for the objector would oppose the prayer for grant of bail.
5. Considering the entire facts situation of the case, this Court is inclined to extend benefit of anticipatory bail to the applicants. Accordingly, both the bail applications are 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

Nirala