

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 836 of 2020

1. Laxminarayan Tripathi, S/o Late Ramkumar Tripathi, Aged About 86 Years R/o D-54, Sector-2, Devendra Nagar, Raipur, District Raipur, Chhattisgarh.
2. Smt. Roopa Tripathi W/o Laxminarayan Tripathi, Aged About 85 Years R/o D-54, Sector-2, Devendra Nagar, Raipur, District Raipur, Chhattisgarh.
3. Pushplata Trivedi W/o Nitish Trivedi, Aged About 54 Years R/o C-74, Sector-1, Devendra Nagar, Raipur, District Raipur, Chhattisgarh.
4. Ayushi Trivedi D/o Nitish Trivedi Aged About 25 Years R/o C-74, Sector-1, Devendra Nagar, Raipur, District Raipur, Chhattisgarh.
5. Nitish Trivedi S/o Late K. Trivedi, Aged About 58 Years R/o C-74, Sector-1, Devendra Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicants

Versus

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

---- Respondent

For Applicants : Shri T.K. Jha, Advocate.

For Respondent/State : Shri Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

02/09/2020

1. Heard through video conferencing.
2. The applicants have preferred the first bail application under Section 438 of Cr.P.C. for apprehending their arrest in connection with Crime No. 384/2020 registered at Police Station Civil Line, Bilaspur, District – Bilaspur, (C.G.) for the offence punishable under Section 506 of the Indian Penal Code.

3. In the present case, applicant Nos. 1, 2, 3, 4 & 5 are the father-in-law, mother-in-law, sister-in-law (*nanad*), daughter of applicant Nos. 3 & 5 and brother-in-law (*nandoi*) respectively of the complainant Aaradhna Tripathi. Marriage of the complainant was solemnized with Suresh i.e. son of applicant Nos. 1 & 2. On 8.7.2014 husband of the complainant died. On 19.5.2020 an F.I.R has been lodged by the complainant alleging therein that after death of her husband, applicants threatened her through telephone. On the basis of said, offence has been registered.
4. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case due to some property dispute. If the entire case is taken as it is, *prima facie*, no offence under Section 506 of the I.P.C. is made out against applicants. It is further submitted that applicants are the resident of Raipur, (C.G.) and complainant is residing at Bilaspur (C.G.). Therefore, it is prayed that applicants may be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties and perused the material available.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and after going through the contents of the F.I.R. and the fact that applicants are the residents of Raipur,

without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.

8. Accordingly, the bail application is allowed.

9. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. They shall also abide by all the following terms and conditions :

- (i) 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 them from disclosing such fact to the Court,
- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They 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