

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 835 of 2020

Reeta Moitra W/o Nirupam Moitra Aged About 32 Years Local Address-
Plot No. 158 Laxmi Nagar, Risali, District- Durg, Chhattisgarh.

Current Address- A-302, Green Crest Society, Suresh Nagar,
Fursungi Pune, Maharashtra 412308

---- Applicant

Versus

State Of Chhattisgarh Through Police Station- Mahila Thana- Durg,
Chhattisgarh

---- Respondent

For Applicant	: Ms. Saumya Sharma, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

14.09.2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this First Bail Application for grant of anticipatory bail under Section 438 of the Cr.P.C. as she is apprehending her arrest in connection with Crime No.30/2020, registered at Police Station: Mahila Thana, District: Durg (C.G.) for the offence punishable under Section 498-A & 34 of IPC.
3. In this case, there are total three accused persons. The Applicant herein, is the sister-in-law of the complainant. The marriage of the complainant with the brother of the Applicant solemnized on 29.04.2019. On 16.03.2020, a report has been lodged by the complainant, alleging therein that, soon after some days of her marriage, her husband, mother-in-law tortured her on account of demand of dowry. It is further alleged that, husband of the complainant had some extra marital affair with other women and this fact was known to the Applicant and she never disclosed this to the complainant. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the

applicant is falsely implicated in the present case. He submits that in FIR no any specific allegations are made against the Applicant on the basis of which, any offence under Section 498-A is made out against the present Applicant. Main allegations are against the husband and mother-in-law of the complainant therefore, he prays for grant of anticipatory bail to the Applicant.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties and after going through the contents of FIR, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
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 personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made herself 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 her by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge