

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 866 of 2020**

1. Anil Vishvkarma S/o Late Tarachand Vishvkarma Aged About 59 Years
Residence of Krishana Nagar, Deepka, Tahsil Katghora, District Korba,
Chhattisgarh
2. Mamta Vishvkarama (Sharma) W/o Mukesh Sharma Aged About 25 Years
R/o Qu. No. G/32, 15 Block S.E.C.L. Korba, Tahsil And District Korba,
Chhattisgarh
3. Naina Vishvkarma W/o Sagar Vishvkarma Aged About 24 Years R/o M/16 Ke
Baju, Vikas Nagar Kusmunda, Tahsil And District Korba, Chhattisgarh

---- Applicants**Versus**

State of Chhattisgarh Through Police Chouki C.S.E.B., Police Station- Kotwali,
District- Korba, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikas Pandey, Advocate
For Respondent	:	Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Judgment on Board****15/09/2020**

1. The matter is heard through video conferencing.
2. The applicants have filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No. 531/2020 registered at police station– Kotwali, District Korba (C.G.) for the offence punishable under Sections 498-A, 34 of the IPC.
3. The applicant No. 1 is father-in-law and applicants No. 2 and 3 are brother-in-law and sister-in-law of the complainant. The marriage of the complainant along with Manish Vishwakarma was solemnized on December, 2019. According to the case of the prosecution the

complainant made a report that after three months of her marriage, she was residing with her husband at Korba, where her husband used to torture her for demand of dowry. She further alleged that when she discloses this act to the present applicants, they also ill treated her and supported her husband. On the basis of this, offence has been registered against the present applicants.

4. Learned counsel appearing on behalf of the applicants submits that applicants are innocent and have been falsely implicated in this case. It is submitted that the main allegations are against husband of the complainant as she is residing with him, therefore, he prays to extend the benefit of anticipatory bail to applicants.
5. Learned counsel appearing on behalf of the State and counsel for the objector opposes the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case and the argument advanced by counsel for the parties, particularly considering that the main allegation has been made against husband of the complainant without further commenting on other merit of the case, I am inclined to extend the benefit of anticipatory bail to applicants.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest applicants, they shall be released on bail on each of them furnishing a bond in the sum of Rs.10,000/- with one surety each 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, applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
- ii. That, 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. That, applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. That, applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

10. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge