

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 988 of 2020**

1. Premlal Sahu, S/o Dileshwar Prasad Sahu, Aged About 62 Years R/o Nahariya Baba Road Janjgir, District Janjgir Champa, Chhattisgarh.
2. Shail Sahu W/o Premlal Sahu, Aged About 55 Years R/o Nahariya Baba Road Janjgir, District Janjgir Champa, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through, District Magistrate Janjgir, District - Janjgir Champa Chhattisgarh Through Police Station - Janjgir, District - Janjgir Champa, Chhattisgarh.

---- Respondent

For Applicants	: Shri Vikash Pandey, Advocate.
For Respondent/State	: Shri Ghanshyam Patel, G.A.
For Objector	: Shri Salvik Tiwari, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****02/11/2020**

Heard through video conferencing.

1. The applicants have preferred the first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 321/2020 registered at Police Station Janjgir, District – Janjgir-Champa, (C.G.) for the offence punishable under Sections 498-A r/w 34 of the Indian Penal Code.
2. In this case, applicant Nos.1 & 2 are the father-in-law and mother-in-law of the complainant Akanksha Sahu. Marriage of the complainant was solemnized with her husband namely Anil Kumar Sahu on

25.01.2019. On 11.12.2019, complainant lodged the F.I.R. alleging that after her marriage, she was residing with her husband at Indore. Firstly, on 16.6.2019 in Indore, applicant beat her, ill-treated her and she was subjected to cruelty on account of demand of dowry. Thereafter, when complainant was residing with her parents, then on 8.9.2019, present applicants and other co-accused persons came there and demanded dowry and ill-treated her. On the basis of the report, offence has been registered.

3. Learned Counsel appearing for the applicants submits that applicants are innocent and have been falsely implicated in the present case. He further submits that main allegations are against the husband of the complainant as she was residing with her husband in Indore and the alleged incident occurred in Indore. Names of the present applicants are falsely implicated in the case by the complainant. Thus, it is prayed that applicants may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State and Objector oppose the anticipatory bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available.
6. 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 particularly considering the facts that the main allegations are against the husband of the complainant and since 16.6.2019 complainant was residing separate, therefore, without

further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.

7. Accordingly, the anticipatory bail application is allowed.
8. 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