

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1073 of 2020**

1. Hemkumari W/o Laxmi Prasad Kewat Aged About 30 Years
R/o Village Kharkhod, Reserve Center Pamgarh, District
Janjgir Champa Chhattisgarh. Present Address Ward No.
10, Mathkua, Akaltara(M), Akaltara, District Janjgir Champa
Chhattisgarh.
2. Kamla Bai W/o Bhuneshwar Kewat Aged About 55 Years
R/o Village Kharkhod, Reserve Center, Pamgarh, District
Janjgir Champa Chhattisgarh.

---- Applicants**Versus**

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

---- Respondent

For Applicants	:-	Mr. Awadh Tripathi, Advocate
For Respondent-State	:-	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

01/12/2020

1. The applicants have preferred this application for grant of
anticipatory bail, as they apprehend their arrest in
connection with Crime No.127/2020, registered at Police
Station Reserve Center-Pamgarh, Distt. Janjgir-Champa
C.G. for offence punishable under Sections 306, 498, 34 of

the I.P.C.

2. Deceased was married with Nokhlal Kewat, son of applicant No.2 (Kamla Bai) and brother of applicant No.1 (Hemkumari), about 2 ½ years ago. She died in her matrimonial house by consuming poisonous substance on 17.09.2019.
3. Material available in case diary would indicate that Nokhlal was subjecting deceased to physical cruelty by assaulting her regularly in a state of intoxication. Though there is allegation against applicant No.2 (Kamla Bai) of abusing the deceased but there is no allegation against her of committing physical cruelty, this is reflected from the Merg statement of Radha Bai, mother of deceased.
4. Learned State counsel would oppose the prayer for grant of anticipatory bail.
5. Considering that both the applicants are ladies and there is no specific allegation of demand of dowry but the allegation is of committing mental and physical cruelty and particularly for the fact that commission of physical cruelty is alleged against the husband and not against these two applicants, I am inclined to extend the benefit of anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed and it

is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on 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;
- (iii) the applicants shall not influence the witnesses during pendency of the trial.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi