

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1345 of 2020**

- Smt. Dhanmani Singh D/o Nepal Singh Aged About 29 Years W/o Ajay Singh, R/o Jamvantpur, Police Station - Ramanujganj, District- Balrampur-Ramanujganj (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Ramanujganj, District- Balrampur- Ramanujganj, (Chhattisgarh).

---- Respondent

For Applicant : Shri Sushil Dubey, Advocate.

For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****19/10/2020**

Heard through video conferencing.

1. The applicant has preferred the first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 110/2020 registered at Police Station Ramanujganj, District – Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 376 and 498-A of the Indian Penal Code.
2. According to the case of the prosecution, prosecutrix is a major lady aged about 22 years. Present applicant is the sister of one Ayodhya Singh. On 13.5.2020 complainant/prosecutrix lodged a report against present applicant and other accused persons namely Ayodhya Singh, Jago, Nepal Singh wherein it has been alleged that co-accused

Ayodhya Prasad on pretext of marriage committed sexual intercourse with her on various occasions. It is further alleged that both prosecutrix and Ayodhya have performed marriage in the year 2018. Thereafter, prosecutrix was residing with Ayodhya in his house. Allegedly, after the marriage, prosecutrix/complainant was subjected to cruelty on account of demand of dowry by the present applicant and other family members of Ayodhya. On the basis of the said report, offence has been registered.

3. Learned Counsel appearing for the applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that applicant is the sister-in-law of the complainant and she is residing separate with her family members. Main accused person is Ayodhya against whom allegations are made. It is further submitted that Ayodhya and other co-accused persons have already been granted bail by the trial Court . Thus, it is prayed that applicant may also be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes 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 fact that main accused person Ayodhya and other co-accused persons have

already been granted bail by the trial Court, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.

7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, she shall be released on anticipatory bail on 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. She shall also abide by all the following terms and conditions :

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