

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1349 of 2020**

1. Sahni Ram Dilawar S/o. Late Ramprasad Aged About 64 Years R/o Village - Parsi, Post, Police Station And Tehsil - Malkharoda, District - Janjgir - Champa (Chhattisgarh). Presently R/o. Sagar Deep Colony, Phase No. 3, Village - Ameri, Police Station Sakri, District - Bilaspur (Chhattisgarh).
2. Smt. Nan Bai Dilawar, W/o. Shri Sahni Ram Dilawar, Aged About 63 Years R/o Village - Parsi, Post, Police Station And Tehsil - Malkharoda, District - Janjgir - Champa (Chhattisgarh). Presently R/o. Sagar Deep Colony, Phase No. 3, Village - Ameri, Police Station Sakri, District - Bilaspur (Chhattisgarh).
3. Smt. Sharda Jogi, W/o. Shri Vijay Jogi, Aged About 34 Years R/o. Village - Pandaria, Police Station Pandaria, District - Kabirdham (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through, Station House Officer, Malkharoda (Mentioned As District Magistrate, District - Jangir- Chapa, In The Impugned Order Dated 04/09/2020), District - Jangir- Champa (Chhattisgarh).

---- Non-Applicant

MCRCA No. 1548 of 2020

- Santosh Kumar Dilawar, S/o Sahni Ram Dilawar Aged About 32 Years Caste - Satnami, Occupation - Business And Contractor, R/o Sagar Deep Colony, Phase No. 3, Village - Ameri, Police Station Sakri, District - Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through, Station House Officer, Malkharoda District - Janjgir - Champa Chhattisgarh.,

---- Non-Applicant

For Applicants : Shri Surfaraj Khan, Advocate.
For Non-Applicant : Shri HS Ahluwalia, Deputy AG.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****11/12/2020 :**

1. The aforesaid bail applications are being disposed of by this common order as they arise out of Crime No.257/2020, registered at Police Station Malkharoda, District Janjgir Champa for offence punishable under Section 498-A/34 of the IPC.
2. Applicant Santosh Kumar Dilawar in MCRCA No.1548/20 is the husband whereas applicants Sahni Ram Dilawar, Smt. Nan Bai Dilawar and Smt. Sharda Jogi in MCRCA No.1349/20, are the father-in-law, mother-in-law and Sister-in-law (Nanad) respectively of the complainant Manjulata, who was married with Santosh Kumar Dilawar on 19.5.2013.
3. Learned State Counsel would read over the statement of the complainant. There appears allegation of demand of dowry and commission of cruelty. However, allegation of committing physical cruelty as also demand of dowry is made mainly against the husband Santosh Kumar Dilawar.
4. Considering the nature of allegation, I am not inclined to extend the benefit of anticipatory bail to applicant Santosh Kumar Dilawar. Accordingly, the Application (MCRCA No.1548/2020) is rejected.
5. However, considering the age of father-in-law & mother-in-law and the fact that sister-in-law (Nanad) Smt. Sharda Jogi is also a lady aged about 34 years and the material available against them in the case diary, I am inclined to release them on anticipatory bail.
6. Accordingly, the application (MCRCA No.1349/2020) is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them 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 not influence the witnesses during trial.
- (ii) they shall make themselves available for interrogation by a police officer as and when required;
- (iii) 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.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve