

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1672 of 2019**

1. Smt. Pramila Shirwas W/o Late Shri Ripusudan Shrivastava, aged about 60 years, Occupation – Headmistress at Government Primary School Chakradhar Nagar, Raigarh, R/o Beladula, Raigarh, District Raigarh, (C.G.).
2. Smt. Padmani Shrivastava W/o Shri Shailesh Shrivastava, aged about 31 years, Occupation- Peon at Salini School Boirdadar Raigarh, R/o Beladula, Raigarh, District Raigarh (C.G.)

---- Applicants**Versus**

State of Chhattisgarh Through- Station House Officer, Police Station- Chakradhar Nagar, District Raigarh, (C.G.).

---- Respondent

For Applicants	:	Mr. Roop Naik, Advocate
For Respondent/State	:	Mr. Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board**10.01.2020**

1. Heard.
2. The applicants have filed this application for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No.347/2019 registered at Police Station – Chakradhar Nagar, Raigarh, District – Raigarh, (C.G.) for the offence punishable under Sections 498-A, 506, 34 of I.P.C.
3. As per the prosecution story, applicant No. 1 is the mother-in-law and applicant No. 2 is the sister-in-law (*jethani*) of the complainant. Marriage between the complainant and Late Durgesh Shrivastava was

solemnized on 16.06.2018. Husband of the complainant died on 12.12.2018. On 16.03.2019, report has been lodged by the complainant alleging therein that after her marriage both the applicants used to harass and torture her. Also, after the death of husband of the complainant, applicants used to torture her on account of demand of dowry. On the basis of the above report, offence has been registered.

4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that after the death of the husband of the complainant, she herself did not want to live with the applicants. It is further submitted that complainant had demanded Rs. 7,000/- per month as maintenance from applicant No. 1, which she was not able to pay but agreed to pay Rs. 2,000/- per month. The complainant was not agreed with the said amount and due to that she lodged a false report against applicants just to create pressure on the them. Thus, *prima facie*, no case can be made out against present applicants. Therefore, it is prayed that applicants may be extended the benefit of anticipatory bail.
5. On the other hand, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Taking into consideration the submissions of both the parties, considering the facts and circumstances of the case, evidence collected by the prosecution, without further commenting on other

merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a bond in the sum of Rs.25,000/-each with one surety for the like sum to the satisfaction of the Officer arresting them and they will 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 him/her 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