

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1958 of 2019**

1. Namita Sahu, W/o Shaukilal Sahu Aged About 55 Years R/o Village Kasdol P.S. Tamnar, District : Raigarh, Chhattisgarh.
2. Vikas Sahu S/o Shaukilal Sahu Aged About 30 Years R/o Village Kasdol, P.S. Tamnar District Raigarh, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Officer-In-Charge P.S. Tamnar, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	: Shri Ashutosh Mishra, Advocate.
For Respondent/State	: Shri Shubham Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****13/02/2020**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 237/2019 registered at Police Station Tamnar, District – Raigarh, (C.G.) for the offence punishable under Sections 498-A, 323, 506, 34 of Indian Penal Code, and Section 3 & 4 of Dowry Prohibition Act.
2. As per the prosecution story, applicant Nos. 1 and 2 are the mother-in-law and brother-in-law of the complainant. Marriage between complainant and co-accused Rakesh was solemnized on 09.06.2019. On 07.11.2019 complainant made a report alleging therein that after the marriage, her husband, present applicants and other relatives of

her husband used to harass and torture her on account of demand of dowry. It is further alleged that husband of the complainant used to abuse her, threaten her and commit mar-pit with her. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that only general allegations have been levelled against applicants by the complainant. Main allegations are against the husband of the complainant. It is further submitted that applicant No. 2 resides separate from the complainant. Therefore, it is prayed that present applicants may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
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 further considering the fact that only general allegations have been levelled against applicants by the complainant, and applicant No. 2 resides separate from the complainant, 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 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 him 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