

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 255 of 2021**

- Dinesh Kumar Sahu S/o Hariram Sahu Aged About 43 Years R/o Lalbahadur Nagar, Police Station Chichola, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Out Post Chichola, police Station Dongargarh, District Rajnandgaon, Chhattisgarh

---- Respondent

MCRCA No. 166 of 2021

- Jeevanlal Sahu Son Of Vedram Sahu Aged About 56 Years Resident Of Lalbahadur Nagar, Police Station- Chichola, District- Rajnandgaon (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Chichola, District- Rajnandgaon (Chhattisgarh)

---- Respondent

MCRCA No. 258 of 2021

- Smt. Nema Bai Sahu W/o Hariram Sahu Aged About 57 Years R/o Village Lalbahadur Nagar, Police Station Chichola, District Rajnandgaon.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Churiya, Out Post Chichola, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicants : Shri Gautam Khetrapal, Advocate
For Respondent/State : Shri Udhaw Sharma, GA

Hon'ble Smt. Justice Rajani Dubey

Order on Board By Virtual Hearing

10/05/2021

As all the three M.Cr.C. (A)s. arise out of the same crime number, they are being disposed of by this common order.

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No. 07/2021 registered at Police Station Outpost Chichola, PS Dongargarh, District Rajnandgaon (CG) for the offence punishable under Sections 498-A of the IPC.

Case of the prosecution in brief is that the applicants are husband, mother-in-law and *chacha sasur* of complainant. It is alleged that marriage of the applicant Dinesh Kumar Sahu in M.Cr.C.A. No. 255/2021 was solemnized with the complainant Purnima Sahu on 10.05.2019 who was working as Technical assistant in janpad panchayat Sahaspur-Lohara and out of their wedlock, one child was born. It is alleged that after giving birth to a girl child, complainant was harassed for demand of Rs. 2,50,000/- for treatment of the child.

Contention of the counsel for the applicants is that the applicants have been falsely implicated in the present case. He submits that there are general and omnibus allegations against the applicants. He further submits that the applicant and the complainant are residing separately from her in-laws. He further submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore they may be granted bail.

On the other hand, learned counsel for the State opposes the bail applications.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicants, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the applications are allowed and it is directed that in the event of arrest of the applicants' in connection with the aforesaid offence, they shall be released on bail on their executing a personal bond in sum of Rs. 25,000/- each with one surety to the concerned arresting/investigating officer of the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and when required,
- (ii) that 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 them from disclosing such facts to the Court or any police officer;

(iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial.

Sd/-

(Rajani Dubey)

Vacation Judge