

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 382 of 2021**

1. Saheb Lal Banjare S/o Dhaniram Banjare, aged about 46 years.
2. Tiku Banjare S/o Saheb Lal Banjare, aged about 30 years,
Both R/o village Baijalpur, Police Chowki Chilphi, Tahsil Lormi,
District Mungeli (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Police Chowki - Chilphi,
Police Station Lormi, District Mungeli (C.G.)

---- Respondent

For Applicant	:	Mr. Dheerendra Pandey, Advocate.
For Respondent	:	Mr. Roshan Dubey, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/06/2021**

Proceeding through video conferencing.

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants who are apprehending their arrest in connection with Crime No.54/2021 registered at Police Chowki - Chilphi, Police Station Lormi, District Mungeli (C.G.) for commission of the offence punishable under Section 498-A of Indian Penal Code.
2. The prosecution story, in brief, is that the marriage of complainant Deepti Banjare was solemnized with Hakimchand Banjare. The applicant No.1 is father and applicant No.2 is brother of Hakimchand Banjare. Allegation against the present applicants is that they along with her husband started harassing her for demand of dowry and also

ousted her from matrimonial house. Based on this, offence has been registered against the applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. Learned counsel further submits that the general allegations have been raised against the applicants. He also submits that every effort to pacify the family dispute and reunion of complainant and husband has been made, but the wife does not want to compromise the matter, thereafter, the FIR was lodged against the applicants.
4. Counsel for the State however opposes the application for anticipatory bail. Learned State counsel submits that in the FIR there is specific allegation against the applicants for demand of dowry.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, further considering the nature of allegation against the applicants, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicants shall make themselves available for interrogation/medical examination before the concerned investigating officer as and when required;
- (ii) that the applicantd shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicantd shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicantd shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge