

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7829 of 2021**

1. Anish Ansari S/o Jasmudin Aged About 60 Years
 2. Mohd. Jibraial Ansari S/o Anish Ansari Aged About 24 Years
- Both are R/o Village Dudhwal, Police Station Ranka, District Gardwa Jharkhand

----Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj, District Balrampur-Ramanujganj Chhattisgarh

---- Respondent**MCRC No. 7835 of 2021**

Serun Bano W/o Anish Ansari Aged About 50 Years R/o Village Dudhwal, Police Station Ranka, District Gardwa, Jharkhand

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj District Balrampur-Ramanujganj Chhattisgarh

---- Respondent**MCRC No. 8106 of 2021**

1. Nurulhak Ansari S/o Anish Ansari Aged About 25 Years,
 2. Dilkalas Ansari S/o Anish Ansari Aged About 21 Years,
- Both are R/o Village Dudhwal, Police Station Ranka, District Gardwa (Jharkhand)

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ramanujganj, District Balrampur Ramanujganj Chhattisgarh

---- Respondent

For Applicants : Mr. Malay Shrivastava, Advocate
For Respondent : Ms. Seema Dixit, PL

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

25/10/2021

Heard.

1. Since all the bail applications arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these first Bail Applications under Section 439 of the Code of Criminal Procedure, 1973 in connection with Crime No. 97/2021 registered at Ramanujganj, District Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 506, 323, 498-A, 34 of the IPC.
3. Applicant Jibraial Ansari (in MCRC No. 7829/2021) is husband of Complainant Sabina Khatun (henceforth 'the Complainant') and applicant Anish Ansari (in M.Cr.C. No. 7829/2021) is father-in-law of the Complainant. Applicants Nurulhak and Dilkalas (in M.Cr.C No. 8106/2021) are brothers of the husband of the Complainant and Applicant Serun Bano (in M.Cr.C. No. 7835/2021) is mother-in-law of the Complainant. As per prosecution story, a written report has been lodged by the Complainant that the accused persons have illegally demanded dowry of Rs. 2,00,000/- and four-wheeler from her father and mother. Based on the said report, offence has been registered and the applicants

have been arrested on 28/07/2021.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that the written report was submitted on 05/04/2021 and the FIR was also lodged on the same date i.e. on 05/04/2021 which is in complete violation of the law laid down in the matter of *Arnesh Kumar v. State of Bihar and Another (2014) 8 SCC 273* and in the matter of *Lalita Kumar v. Government of U.P. and others (2014) 2 SCC 1*. He further submits that the applicants are permanent resident of address mentioned in the bail applications and prays to release the applicants on bail.
5. On the other hand, learned counsel for the State opposes the bail applications.
6. On being asked, counsel for the applicants submitted before this Court that the marriage between the Complainant and applicant Jibraial Ansari was solemnized 2 years prior to the incident.
7. I have heard learned counsel for the parties.
8. Considering the facts and circumstances of the case, particularly the fact that the offence is triable by the JMFC, the applicants are in jail since 28/07/2021 and conclusion of trial may take some time, I am of the view that these are fit cases to enlarge the applicants on bail.
9. Accordingly, the bail applications are allowed.
10. It is directed that the applicants of above bail applications shall be released on bail on each of them furnishing personal bond for a sum of

Rs. 10,000/- with one surety each of the like sum amount to the satisfaction of the trial Court for their appearance before the trial Court as and when directed.

Sd/-
(Deepak Kumar Tiwari)
Judge

Rahul