

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1755 of 2020**

1. Bhagwati Yadav S/o Ramswarup Yadav Aged About 32 Years Resident Of Near Naresh Kirana Stores, Shanti Vihar Colony, Dangania, Raipur, District- Raipur, Chhattisgarh
2. Smt. Usha Yadav W/o Ramswarup Yadav Aged About 52 Years Resident Of Near Naresh Kirana Stores, Shanti Vihar Colony, Dangania, Raipur, District- Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station- D.D. Nagar, Raipur, District- Raipur, Chhattisgarh

---- Non-Applicant**MCRCA No. 1756 of 2020**

1. Ramswarup Yadav Son Of Late J.R. Yadav Aged About 57 Years Resident Of Shanti Vihar Colony, Dangania, Raipur, District- Raipur (Chhattisgarh)
2. Nikhilesh Yadav Son Of Ramswarup Yadav Aged About 31 Years Resident Of Shanti Vihar Colony, Dangania, Raipur, District- Raipur (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station - D.D. Nagar, Raipur, District- Raipur (Chhattisgarh)

---- Non-Applicant

For Applicants : Shri Pradeep Singh Rathore, Advocate.
For Non-Applicant : Shri Rajendra Tripathi, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board**

10/03/2021 :

1. The aforesaid anticipatory bail applications are being disposed of by this common order as they arise out of Crime No.355/2020, registered at Police Station DD Nagar, Raipur, District Raipur for offences punishable under Section 498-A & 376 of the IPC.
2. Applicant Bhagwati Yadav is the husband whereas applicant Smt. Usha Yadav is the mother-in-law, Ramswarup Yadav is the father-in-law and Nikhilesh Yadav is the brother-in-law (Devar) of complainant Rakha Yadav, who was married with applicant Bhagwati Yadav on 24.11.2016. In the FIR lodged on 16.10.2020, it is alleged that after 6 months of the marriage, the applicants started treating her with mental and physical cruelty, as she was not able to satisfy the demand of Four Wheeler and Cash of Rs.10 lakhs. It is also alleged that applicant Nikhilesh Yadav has committed sexual intercourse.
3. In the entire FIR, the date of commission of sexual intercourse is not mentioned. The complainant appears to be residing separate from the applicants since 2019, but the FIR has been lodged in October, 2020, and moreover, the date of commission of rape by applicant Nikhilesh is not mentioned.
4. Considering the entire fact situation of the case, I am inclined to release all the applicants on anticipatory bail.
5. Accordingly, the Applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) they shall not influence the witnesses during trial.
 - (ii) they shall make themselves available for interrogation by a police officer as and when required;
 - (iii) 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 facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve