

HIGH COURT OF MADHYA PRADESH**MCRC-13932-2020****(Smt. Anita Yadav vs. State of M.P.)****Gwalior, Dated:2/6/2020**

Shri Rajesh Kumar Shukla, learned counsel for the applicant.

Shri R.S. Gurjar, learned Panel Lawyer, for respondent/State.

Matter is heard through Video Conferencing.

The applicant has filed this **first** bail application u/S.438 Cr.P.C for grant of anticipatory bail.

The applicant apprehends her arrest in connection with Crime No.366/2019 registered at Police Station Gormi, District Bhind(M.P.) in relation to the offence punishable under Sections 304-B and 498-A of IPC and Section 3/4 of Dowry Prohibition Act.

It is submitted by learned counsel for the applicant – Smt. Anita that the applicant is Sister-in-law of the deceased and she got married 15 years back. She is residing with her family at Village Bilav, Umari District Bhind which is far from the place of incident, since her marriage. There is no any evidence against the present applicant to instigate the deceased to commit suicide. The death of the deceased was caused by hanging. It is further submitted that the applicant is ready and willing to abide by any condition which may be imposed by this Court. There is no possibility of their absconding or tampering with the prosecution case. Hence, prayed for grant of anticipatory bail.

Learned State counsel has vehemently opposed the submissions

and submitted that within seven months of the marriage of the deceased, the incident took place and the deceased committed suicide. The offence committed by the present applicant is grievous in nature. Hence, prayed to reject the anticipatory bail application.

Heard learned counsel for the parties at length through VC and considered the arguments advanced by them and perused the case-diary.

Considering the facts and circumstances of the case and the fact that the applicant is sister-in-law of the deceased and she is residing at Village Bilav, Umari District Bhind which is far from the place of incident, in the interest of justice, without commenting on merits of the case, the application is allowed. It is hereby directed that in the event of arrest, the applicant shall be released on anticipatory bail on her furnishing a personal bond of **Rs.1,00,000/- (Rupees One Lac Only)** with one solvent surety in the like amount to the satisfaction of the Arresting Officer/Investigating Officer.

This order will remain operative subject to compliance of the following conditions by the applicant:-

1. The applicant will comply with all the terms and conditions of the bond executed by her;
2. The applicant shall make herself available for interrogation by a police officer as and when required. She shall further abide by the other conditions enumerated in sub-Section (2) of Section 438 of Cr.P.C.
3. The applicant will not indulge herself in extending 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 to the Police Officer, as the case may be;

4. The applicant shall not commit an offence similar to the offence of which she is accused;

5. The applicant will not seek unnecessary adjournments during the trial; and

6. The applicant will not leave India without previous permission of trial Court/ Investigating Officer, as the case may be.

E-copy of this order be sent to the Court concerned for compliance as well as e-copy of the order be given to the learned State counsel with a direction to keep the same in the concerned case-diary.

Certified copy/ e-copy as per rules/directions.

(Rajeev Kumar Shrivastava)
Judge

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