

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1487 OF 2016

1. Lalaram Kaushik S/o Late Bhairav Prasad Kaushik
aged about 52 years
 2. Nini Bai (wrongly mentioned as Noni Bai in the order
sheet) W/o Lalaram Kaushik aged about 45 years
- Both resident of village Pendri Police Station Takhatpur
District Bilaspur C.G.

---Applicants

Versus

State of Chhattisgarh, Through Station House Officer,
Police Station Takhatpur District Bilaspur C.G.

---Non-applicant

And

M.Cr.C. No. 1515 OF 2016

Jagesh Kaushik aged about 18 years S/o Lala Ram
Kaushik R/o village Pendri Police Station Takhatpur
District Bilaspur C.G.

---Applicant

Versus

State of Chhattisgarh through Station House Officer
Police Station Takhatpur District Bilaspur C.G.

---Non-applicant

For Applicants	: Shri Shrawan Kumar Chandel, Advocate
For Non-applicant	: Shri O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/03/2016**

1. Above mentioned two bail applications arise out of a common Crime No. 315/2015, registered at Police Station Takhatpur, Distt. Bilaspur (C.G.), for the offence punishable under Sections 304-B, 34 of I.P.C., therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. Case of the prosecution, in brief, is that, marriage of deceased Nandini Kaushik was solemnized with co-accused Surendra Kaushik on 03/06/2015 and immediately after the marriage, present applicants along with other co-accused treated her with cruelty in connection with demand of dowry and out of humiliation and frustration, she committed suicide on 23/10/2015.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the offence in question. He

would further submit that there is general and omnibus statement against the present applicants and there is no specific allegation for demand of dowry against them. He would lastly submit that charge sheet has been filed and applicants are in jail since 06/11/2015 & 02/02/2016 respectively, therefore, they may be released on bail.

4. Learned counsel for the State would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case and further taking into consideration the nature and gravity of offence, role of the applicants, they are father-in-law, mother-in-law and brother-in-law of the deceased; pretrial detention of the applicants and charge sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail applications (M.Cr.C. Nos. 1487/2016 & 1515/2016) filed under Section 439 of the

Code of Criminal Procedure are allowed.

8. It is directed that applicants namely, Lalaram Kaushik, Nini Bai and Jagesh Kaushik shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE