

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6122 of 2016

1. Chandrika Kaushik W/o Bharat Kaushik Aged About 45 Years R/o Village- Chhanta-Jha, Police Station & Tahsil- Kawardha, District Kabirdham, Chhattisgarh.
 2. Rekha Kaushik D/o Bharat Kaushik Aged About 25 Years R/o Village- Chhanta-Jha, Police Station & Tahsil- Kawardha, District Kabirdham, Chhattisgarh.
 3. Beena Kaushik D/o Bharat Kaushik Aged About 19 Years R/ Village- Chhanta-Jha, Police Station & Tahsil- Kawardha, District Kabirdham, Chhattisgarh.
- Applicants**

Versus

4. State of Chhattisgarh S/o Through Station House Officer, Police Station- Kawardha, District Kabirdham, Chhattisgarh.
- Respondent**

For the applicant	:	Mr. Devesh Chandra Verma, Adv.
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 304 of 2016 registered at P.S. Kawardha, District Kabirdham for the offence punishable under Sections 498-A, 328, 34 of IPC.
2. As per the prosecution case, a report was made by Panna Bai Kaushik that she was married to Sudharshan Kaushik 3 years prior to the incident. Subsequently after some time of marriage, she was subjected to cruelty for demand of dowry and on 01.08.2016, the complainant was forced by the applicants and other co-accused to consume poison.
3. Learned counsel for the applicants would submit that false

allegations have been made against the applicants and there is nothing on record to show that the complainant was administered with poison.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the documents and statements. Even the dying declaration is recorded but nothing is available in the case diary to show that how the complainant was admitted to hospital.
6. Considering the nature of allegations against these applicants and the fact that the applicants are females and the primary allegations are attributed to the husband and further taking into totality of the facts situation of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE