

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 653 of 2017

- Gouribai W/o Banwasi Kaushik Aged About 40 Years Caste Kurmi, R/o Village Patharri, Tahsil Pali, District Korba, Chhattisgarh. Presently Resided At Village Kurudeah, Post Sohagpur, Tahsil Karlata, District Korba, Chhattisgarh. **--- Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Out Post Hardibazar, District Bilaspur, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Aktar Hussain, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice P. SAM KOSHY

Order on Board

23.02.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant who is in jail since 12.07.2016 in connection with Crime No. 108/2016 registered at P.S. Hardibazar, Distt. Korba (C.G) for the offence punishable under Sections 304-B, 498-A & 306 IPC.
2. As per the prosecution case, the present applicant is mother-in-law and she along-with other accused is said to have subjected the deceased Janki Bai to cruelty which led to take extreme step of ending her life by consuming poison on 7th of June 2016.
3. Learned counsel for the applicant submits that the statement of the father of deceased itself would show that the allegations levelled against the present applicant were general and omnibus in nature and there was no specific incident or act attributed to the present applicant which has

forced the deceased to commit suicide. He further submits that the charge sheet against the present applicant has been filed and on the same set of allegations the other co-accused have been granted bail by the coordinate bench of this Court in M.Cr.C.Nos.7940/2016 & 7126/2016 which have been decided on 14.12.2016 & 16.11.2016 respectively, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application on the ground that there had been allegations against the present applicant of subjecting the deceased to cruelty.
5. On perusal of the record particularly the statement made by the father of deceased, it would reflect that the allegations made are general and omnibus in nature and no specific act on the part of the present applicant has been attributed. It is also undisputed that the allegations made against other accused who have been enlarged on bail are also similar to that of the present applicant. Therefore, in the opinion of this Court, the present applicant is also entitled for the same relief as has been granted to other co-accused.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court.

Cc as per rules.

**Sd/-
P. SAM KOSHY
JUDGE**