

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2403 of 2017**

- Smt. Binda Bai Kaushik W/o Har Prasad Kaushik Aged About 46 Years R/o Village Parsada (Bharni), Police Station Chakarbhata, Tahsil And District Bilaspur, Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Chakarbhatha, District Bilaspur, Chhattisgarh.

---- Respondent

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| For applicant        | Mr. N.K. Chatterjee, Adv. |
| For Respondent/State | Mr. Anant Bajpai, PL.     |

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**Hon'ble Shri Justice Chandra Bhushan Bajpai****Order On Board****3/5/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as she is arrested on 17-2-2017 in connection with Crime No. 410/2016 registered in PS Chakarbhatha, Distt. Bilaspur for offence punishable under Section 498-A, 304-B and 302/34 of the IPC.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed and the matter is pending before the 9th Additional Sessions Judge, Bilaspur as ST No. 27/2017. The applicant is mother-in-law of the deceased. The deceased was married to Vinod Kaushik son of the present applicant in the year 2013. She gave birth to a male child and she committed suicide of her own. The present applicant attempted to save the deceased after the door is broken. With this the applicant is innocent. He has not committed any offence. She may be granted bail during trial.
4. Per contra, learned counsel for the State opposed the bail application and submits that within 7 years of marriage the deceased died in other than normal circumstances. Police recorded dying declaration

on 21-2-2016 in which specific allegations against the present applicant have been made regarding torture and demand of dowry and other facts. Also police had recorded statement of family members of the deceased which goes to show prima facie sufficient material against the present applicant in the offence.

5. Perused the matter.
6. On due consideration of the evidence collected by the police against the applicant and as the offence is of serious nature therefore, I am not inclined to grant bail to the applicant. The MCRC is dismissed.

**Sd/-**  
**(Chandra Bhushan Bajpai)**  
**Judge**