

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 6761 OF 2017

Smt. Ved Bai Kashyap, aged about 47 years, W/o Santosh Kashyap, R/o Village Konargarh, P.S. Mulmula, Tahsil Pamgarh, District Janjgir-Champa (C.G.)

... Applicant

versus

State of Chhattisgarh, through Police Station Mulmula, District Janjgir-Champa (C.G.)

... Respondent

For Applicant	:	Mr. Ravindra Sharma, Advocate.
For Respondent-State	:	Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/12/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 18.8.2017 in connection with Crime No.94/2017 registered at Police Station- Mulmula, District Janjgir-Champa, for the offence punishable under Section 304-B/34 of IPC.
2. Allegation against the Applicant as per the prosecution case is that the Applicant in connivance with the husband of deceased-Smt. Sunita Kashyap is said to have harassed and ill-treated the deceased on demand of dowry to the extent of forcing her to commit suicide.
3. Learned Counsel for the Applicant submits that, plain reading of the statements of the witnesses examined during the course of investigation would reveal that all the allegations levelled against the Applicant are general and omnibus in nature and there is no specific instance or specific date mentioned in the statements with which it could be said that the Applicant had ill-treated, harassed or assaulted the deceased at any point of time on the issue of demand of dowry.

4. Learned Counsel for the State however opposing the bail application submits that the statements of the family members of the deceased have been recorded and all of whom have stated that the Applicant had been continuously harassing the deceased demanding dowry and which ultimately forced her to commit suicide and thus prayed for the rejection of the bail application.

5. Having heard the submissions put forth on either side and on perusal of record, considering the nature of allegation and the same being omnibus and general in nature, this Court thus is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

6. Accordingly, the bail application is allowed. It is ordered that the Applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for her appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge