

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7068 of 2018**

- Leelaram Kaushik S/o Kush Prasad Kaushik Aged About 29 Years R/o- Village Tilai, Police Station Janjgir, District (Civil And Revenue) Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Janjgir, District (Civil And Revenue) Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Anand Kesharwani, Advocate.
For Non-applicant	: Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 231/2018 registered at Police Station – Janjgir, District (Civil And Revenue) Janjgir-Champa (C.G.) for the offence punishable under Section 304-B of the Indian Penal Code.
3. Case of the prosecution, in brief is that applicant is the husband of the deceased Rajeshwari Kaushik. The marriage was solemnized on 18.09.2012, after the marriage applicant was harassing her on account of demand of dowry and doubting her character. On 28.02.2018, she poured kerosene oil on her body and set her ablaze. As a result of burn injuries, she died.
4. Learned counsel for the applicant argued that applicant has been falsely implicated in the present case, he has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submitted that one case under Cr.P.C. is already registered against the applicant.
6. Counsel for the applicant further submitted that in the dying declaration of the deceased no demand of dowry has been mentioned, some witnesses have also stated in their police statement that there was no demand of dowry.
7. In dying declaration it has been mentioned that applicant was harassing the deceased on account of doubting her character. Demand of dowry has been mentioned in police statements of mother and father of the deceased.
8. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE