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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9684 of 2025**

- 1** - Fulchand Bhagat S/o Late Asaam Bhagat Aged About 48 Years R/o Bhinjpur, Thana- Duldula, Distt. Jashpur (C.G.) Present R/o Sejbahar, Thana- Mujgahan, Distt. Raipur (C.G.)
- 2** - Gayatri Bhagat D/o Fulchand Bhagat Aged About 22 Years R/o Bhinjpur, Thana- Duldula, Distt. Jashpur (C.G.) Present R/o Sejbahar, Thana- Mujgahan, Distt. Raipur (C.G.)
- 3** - Vishnu Bhagat S/o Rameshwar Bhagat Aged About 45 Years R/o Batnidand, Thana- Narayanpur, Distt. Jashpur (C.G.)
- 4** - Anita Bhagat W/o Vishnu Bhagat Aged About 40 Years R/o Batnidand, Thana- Narayanpur, Distt. Jashpur (C.G.)
- 5** - Ramesh Bhagat S/o Krishna Bhagat Aged About 32 Years R/o Village- Narayanpur, Thana- Narayanpur, Distt. Jashpur, (C.G.)
- 6** - Lalita Bahagt W/o Ramesh Bhagat Aged About 38 Years R/o Village- Narayanpur, Thana- Narayanpur, Distt. Jashpur, (C.G.)
- 7** - Telesphor Minj S/o Milku Minj Aged About 50 Years R/o Village- Narayanpur, Thana- Narayanpur, Distt. Jashpur, (C.G.)
- 8** - Anjana Minj W/o Telesphor Minj Aged About 35 Years Caste Uraon, R/o Village- Narayanpur, Thana- Narayanpur, Distt. Jashpur, (C.G.)

---Applicants

versus



The State Of Chhattisgarh Through The Station House Officer, Police
Station- Duldula, Distt. Jashpur, (C.G.)

--- Respondent(s)

For Applicants : Mr. Aseem Bhagwat Gopal along with Mr.
Paras Sahu, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

MCRC No. 485 of 2026

1 - Santu Prasad Chouhan @ Arun Chouhan S/o Jagmohan Chouhan
Aged About 44 Years R/o Village Lendhra, Police Station- Baramkela,
District- Sarangarh-Bilaigarh, C.G.

2 - Ratthu Ram Chouhan S/o Chhote Ram Aged About 53 Years R/o
Village Lendhra, Police Station- Baramkela, District- Sarangarh-
Bilaigarh, C.G.

3 - Biranchi Das Mahant S/o Jotram Aged About 63 Years R/o Village
Lendhra, Police Station- Baramkela, District- Sarangarh-Bilaigarh, C.G.

---Applicants

Versus

State Of Chhattisgarh Through Police Station- Duldula, District-
Jashpur, C.G.

--- Respondent(s)

For Applicants : Mr. J.k. Saxena, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20/01/2026



1. The applicants have preferred this First Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 62/2025, registered at Police Station- Duldula, District- Jashpur (CG) for the offence punishable under Sections 296, 351(2), 115592), 333, 190, 191, 331(6) of BNS, 2023 and Section 4 and 5 of Tonahi Pratadna Adhiniyam.
2. The prosecution story in brief, is that, on 07.11.2025 at approximately 7:00 PM, the complainant had dinner with her husband, Dhansay Ram, and went to sleep. On 08.11.2025, at around 4:00 AM, she woke up and lit the stove to cook. At that time, the accused persons started shouting loudly near the complainant's house and hurling abusive language, demanding that she open the door. When the complainant, out of fear, did not open the door, they kicked and broke it down. Approximately 11 to 12 people entered her house. Phoolchand Bhagat's daughter, Gayatri Bhagat, started saying to the complainant, "You are a witch, you are a Tonhi, you have killed my mother, Sunita Bhagat, you have caused her death, you will have to bring her back to life." Saying this, Gayatri Bhagat started pulling the complainant's hair and beating her. Phoolchand Bhagat, his brother-in-law Ramesh Bhagat, Vishnu Bhagat, his sister-in-law Lalita Bhagat, Anita Bhagat, and their relative Anjana Minj, along with four or five other people, all acting in concert, forcibly grabbed the complainant and dragged her, saying, "Come on, you will have to



bring Sunita Bhagat back to life, and were taking her towards the village cremation ground. They had dragged her some distance when the complainant's son, Sukhram Bhagat, heard the commotion and came there. He told Phoolchand, "You are educated, yet you believe in superstition, this is wrong, leave my mother." Upon hearing this, they released her. From there, her son called her daughter, Hemanti Bhagat, and then her son and daughter brought her back home. Gayatri Bhagat, Phoolchand Bhagat, Ramesh Bhagat, Vishnu Bhagat, Lalita Bhagat, Anita Bhagat, Anjana Minj, and four or five other people, all acting together, had entered the complainant's house, calling her a witch and a Tonhi, accusing her of killing Sunita Bhagat, and threatening to kill her while hurling abusive language. They were beating her with their hands and fists, pulling her hair, and dragging her from her house towards the cremation ground. The complainant has filed a report against the accused persons at the police station. Thereafter, the present applicant was arrested the offence under section 296, 351(2), 115(2), 333, 190, 191, 331(6) of B.N.S.2023 and Section 4, 5, Tonahi Harassment Prevention Act.

3. It was argued by the learned counsel for the applicants that the applicants are innocent and have been falsely implicated in this case. The applicants are the bread earning members of their respective family and their pre-detention will adversely affect their



family embers to run livelihood. The applicants have no criminal antecedents and the challan has not been filed. The applicants are in jail from 09.11.2025, 14.12.2025 and 16.12.2025 and the conclusion of trial is likely to take some more time, therefore the applicants are entitled to be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicants have entered the house of the complainant and abused her in filthy language calling her witch, etc. Therefore, the present applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submissions of the counsel for the parties, nature of dispute, further considering the age of the applicants and the fact that some of the applicants are in jail since 09.11.2025 while others are in jail since 14.12.2025 and 16.12.2025, further the conclusion of the trial may take some more time, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Let the applicants- **Fulchand Bhagat, Gayatri Bhagat, Vinshu Bhagat, Anita Bhagat, Ramesh Bhagat, Lalita Bhagat, Telesphor Minj, Anjana Minj, Santu Prasad Chouhan @ Arun Chouhan, Ratthu Ram Chouhan, Biranchi Das Mahant,**



involved in Crime No. 62/2025 registered at Police Station- Duldula, District- Jashpur (C.G.), for the offence punishable under Sections 296, 351(2), 115592), 333, 190, 191, 331(6) of BNS, 2023 and Section 4 and 5 of Tonahi Pratadna Adhiniyam be released on bail on their furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bhartiya Nyay Sanhita, 2023

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS, is issued and the applicants fail to appear



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before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of Bhartiya Nyaya Sanhita, 2023.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 BNSS. If in the opinion of the trial court absence of the applicants is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)

Chief Justice

Madhurima