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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 828 of 2026

- Rashmi Nag W/o Premchand Nag Aged About 23 Years R/o Village Madpal, Indira Awas Para, Police Station Nagarnar, District Bastar (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Nagarnar, District Bastar (C.G.)

... Respondent

(Cause title is taken from Case Information System)

 For Applicant : Mr. Ramsajiwan, Advocate

 For Respondent/State : Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.01.2026

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No. 217/2025, registered at Police Station – Nagarnar, District – Bastar (C.G.) for the offence punishable under Sections 318(4) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- The case of the prosecution, is that the applicant and one another accused person namely Purnima Sagar have taken the loan of Rs.1,45,000/- from the account of complainant namely Amrita Baj



from the different-different bank and instead of using the account of complainant, the accused persons have given Rs.5,000/-, but the said loan amount has not been paid by the accused persons, therefore the crime as mentioned above has been registered against the accused persons. Hence, this bail application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there is no criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 29.12.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there is no criminal antecedents registered against the present applicant, and the charge-sheet has been filed in this case. It is further submitted that the applicant along with another accused person namely Purnima Sagar have taken the loan of Rs.1,45,000/- from the account of complainant namely Amrita Baj from the different-different bank and instead of using the account of complainant, the accused persons have given Rs.5,000/-, but the said loan amount has not been paid by the accused persons, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there is no any criminal antecedents registered against the



present applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 23.09.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Rashmi Nag**, involved in Crime No.217/2025, registered at Police Station – Nagarnar, District – Bastar (C.G.) for the offence punishable under Sections 318(4) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), be released on bail on his 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 him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(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 of BNSS. If in the



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opinion of the trial court absence of the applicant 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 him in accordance with law.

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

**Sd/-
(Ramesh Sinha)
Chief Justice**

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