



2026:CGHC:12653



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2250 of 2026**

Dilip Sarkar S/o Shri Aditya Sarkar Aged About 50 Years R/o Village
Nayapara, Tehsil - Antagarh, District North Bastar Kanker Chhattisgarh

... Applicant**versus**

State Of Chhattisgarh Through Police Station - Antagarh, District North
Bastar Kanker Chhattisgarh

... Respondent(s)

For Applicant : Ms. Sharmila Singhai, Sr. Advocate along with
Mr. Hrishabh Deo Shukla, Advocate

For Respondent(s) : Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Arvind Kumar Verma**Order on Board****17/03/2026**

1. The applicant has preferred this Second Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 48/2024, registered at Police Station Antagarh, District- North Bastar, Kanker (CG) for the offence punishable under Section 90(1), 91, 238, 3(5), 103(1)



of BNS, 2023.

2. The prosecution story in brief, is that, the applicant has given birth control tablets to the victim who has the love interest of the main accused Nagesh kumar komra which was given from the medical store registered in the name of the daughter of the present applicant and examined the victim Amrita padda and given 5 birth control tablets to the victim and the co-accused Nagesh kumar komra has given tablets to her in the house of her sister which resulted into the death of the victim. So on the basis of the report thana police registered the offences under section 90(1), 91, 238, 3(5), 103(1) Of BNS
3. It was argued by the learned counsel for the applicant that the applicant has been falsely implicated in this case. She would further contend that the present applicant does not run any medical shop and he has been falsely implicated without any cogent evidence. The prosecution only on the vague allegations based on the memorandum fo the main accused alleged that the present applicant gave abortion pills to the accused Nagesh, implicated the present applicant in the above referred offences. She also submits that the independent witnesses have not supported the case of the prosecution and turned hostile.
4. On the other hand, learned State Counsel opposes the bail application and submits that all the evidences are against the applicant.



5. I have heard learned counsel for the parties and perused the case diary.
6. Having considered the rival submissions and on perusal of the case diary, this Court finds that the allegations against the applicant are serious in nature. The material available on record prima facie indicates that the applicant had supplied the tablets which were subsequently administered to the victim, resulting in her death. At this stage, the memorandum statement of the co-accused, coupled with other circumstances collected during investigation, cannot be brushed aside. The gravity of the offence, as well as its direct nexus with the death of the victim, weighs against the applicant.
7. Considering the nature and gravity of the offence, the manner in which the incident is alleged to have occurred, and the material available on record, this Court is not inclined to grant bail to the applicant at this stage.
8. Accordingly, the bail application of applicant- **Dilip Sarkar** involved in Crime No. 48/2024 under 90(1), 91, 238, 3(5), 103(1) Of BNS, 2023 at Police Station-Antagarh, District- North Bastar, Kanker, Chhattisgarh, is **rejected**.
9. However, this Court hopes and trusts that the Trial Court shall make earnest endeavour to conclude the trial expeditiously within a period of 6 months, in accordance with law, if there is no legal impediment.



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

Sd/-
(Arvind Kumar Verma)
JUDGE

Madhurima