



2026:CGHC:12623



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2356 of 2026

1 - Roshni Sharma W/o Late Laxman @ Raju Bhatt Aged About 36 Years Presently R/o Ward No. 15, Village - Sankara, Police Station - Tilda-Neora, District- Raipur, Chhattisgarh. Permanent R/o Village- Gorakhpur, Police Station - Gadasarai, District- Dindori, Madhya Pradesh. (Particulars Of The Applicant Is Mentioned Correctly As Per Chargesheet)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through - Police Station - Tilda Neora, District- Raipur, Chhattisgarh.

---Non-applicants

For applicants	:	Mr. Anmol Sharma, Advocate
For-Non-applicants	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Arvind Kumar Verma, Judge
Order on Board

17/03/2026

1. The applicant has preferred this **Second Bail Application** under Section 483 of B.N.S.S. in connection with Crime No. 175/2025, registered at Police Station Tilda Neora, District Raipur Chhattisgarh for the offences punishable under Sections 103(1), 190, 61(2)(a) of BNS 2023 & 25, 27 Arms Act.
2. Earlier bail application was withdrawn by the learned Sr. Counsel on 02.02.2026 vide MCRC No. 1020/2026.



3. The prosecution story in brief, is that, on that 01.05.2025 @ about 7 A.M. in the morning informant namely Dharam Pal Bhatt informed police authorities that one dead is found lying at village - Bemta, under the Gadriya Nala and the sarpanch informed him that it is the body of his brother Laxman @ Raju Bhatt and last he was seen on 30.04.2025 at a marriage ceremony of his uncle Balram Bhatt at village Sankra and after which he didn't return home. On the basis of the said information the police authorities have lodged an FIR against the unknown persons and started investigation. During the course of investigation wife of the deceased namely Roshini Sharama was interrogated and, in her memorandum, she has narrated the entire incident that she along with her son Rishi Sharma, Uma Shankar Sharma, Mukesh Sharma and present applicant have committed murder of the deceased Laxman Raju Bhatt on account of continuous mentally and physically torture being committed by him on Roshini Sharma. On the basis of memorandum statement, the police authorities arrested the other co-accused persons and their memorandum statement was recorded and after completion of investigation the police authorities have filed Chargesheet for the above-mentioned offences. The accused persons were arrested on 06.05.2025 and sent them to judicial custody.
4. Learned counsel for the applicant submits that the present case is entirely different from the prosecution story and the applicant has been falsely implicated in the matter. It is contended that the applicant has no involvement whatsoever in the alleged offence and has been arrested merely on suspicion. The only material against the applicant is her



memorandum statement recorded by the police, which is not admissible in evidence, particularly when no incriminating article has been recovered pursuant thereto, except one mobile phone allegedly used for making calls, which by itself does not establish her complicity in the crime. It is further submitted that the applicant was neither present at the place of occurrence nor has she in any manner aided or abetted the commission of the offence. The main assailants, namely Nikki @ Umashankar Sharma and Sonu @ Mukesh Sharma, are alleged to have independently planned and executed the offence. At the most, the allegation against the applicant is that she had narrated her personal grievances regarding the conduct of the deceased, which cannot be construed as participation in any conspiracy or commission of the offence.

5. Learned counsel further submits that the applicant is a lady and a mother of three children aged about 20 years, 17 years and 13 years. It is also argued that it is a settled position of law that a memorandum statement without any discovery of fact is not admissible in evidence and any statement made before the police authorities cannot be treated as substantive evidence. Hence, on these grounds, the applicant deserves to be enlarged on bail.
6. On the other hand, the learned counsel for the State opposes the bail application and submits that there is ample evidence on record to connect the applicant with commission of the offence. For which, the applicant has not given any plausible explanation therefore, the bail application is liable to be dismissed.
7. I have heard learned counsel for the parties and perused the case diary



produced by the learned counsel for the State.

8. Considering the nature and gravity of the offence and further considering the fact of the case, I do not find any change of circumstances to reconsider this repeat application for grant of bail and to release the applicant on bail, therefore, at this stage, the aforesaid bail application of applicant is **rejected**.
9. However, this Court hope and trust that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible within a period of **8 months**, if there is no legal impediment.
10. Office is directed to provide a certified copy of this order to the trial Court for necessary information.

Sd/-

(Arvind Kumar Verma)
Judge