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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2550 of 2026**

Soniya Banjare W/o Bhagwat Prasad Banjare Aged About 32 Years R/o Village Bharuwadih, Ward No.02, Sakahariya Road, Post Champa, Police Station Palari, District - Balod Bazar - Bhatapara, Chhattisgarh.

... Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer, P.S. - Palari, District - Baloda Bazar-Bhatapara, Chhattisgarh.

... Respondent(s)

For Applicant(s) : Mr. Aishwarya Kumar Dubey, Advocate

For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****18.03.2026**

1. The applicant has preferred this First Bail Application under Section 483 of The Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail, as he has been arrested in connection with Crime No. 07/2026, registered at Police Station- Palari, District- Baloda Bazar-Bhatapara (C.G.) for the offences punishable under Sections 296, 351(2), 109 and 3(5) of the BNS.



2. The prosecution case, as reflected in the First Information Report lodged by the complainant, Bhavsingh Jangde, is that on the night of 07.01.2026, the applicant along with her husband, Bhagwat Banjare, allegedly subjected the complainant to verbal abuse. It is further alleged that the applicant's husband called the complainant outside near his shop, whereupon the applicant allegedly emerged carrying a knife. Thereafter, the applicant's husband is stated to have assaulted the complainant with a steel rod, resulting in injuries to him.

3. Learned counsel for the applicant submits that the present applicant is an innocent person who has been falsely implicated in the case, having neither committed nor participated in any act amounting to the offences mentioned. The applicant is a lady and the main allegation of assault causing injury is specifically attributed to the co-accused (the husband), who is alleged to have attacked the complainant with a steel rod, whereas the applicant has been implicated only on the allegation that she was holding a knife and abusing the complainant. It is also argued that the alleged injuries have not been duly proved, and as per the prosecution story, the only material sought to connect the applicant with the crime is the memorandum statement, which by itself has limited evidentiary value. So far as criminal antecedent of the applicant is concerned, the applicant has only one previous criminal antecedent registered against her. He lastly submits that



the applicant is languishing in jail since 08.01.2026 and the conclusion of the trial is likely to take some time, therefore, he submits that the present applicant is also entitled to be released on regular bail.

4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the applicant along with her husband has assaulted the complainant with a steel rod on the head, due to which, the complainant has sustained grievous injuries on his person, as such, looking to the nature of allegations levelled against the applicant, her bail application is liable to be rejected.
5. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that notably, the applicant is a lady and the main allegation is levelled against the co-accused/husband to have assaulted the injured, who has sustained grievous injuries on his person and admittedly, the applicant has not caused any injuries to the injured and the case of the applicant is distinguishable to that of the co-accused and further, she is languishing in jail since 08.01.2026 and conclusion of the trial is likely to take some time, therefore, this Court is of the view that the present applicant is entitled to be released on bail in this case.
6. Let applicant, **Soniya Banjare**, involved in Crime No. 07/2026, registered at Police Station- Palari, District- Baloda Bazar-



Bhatapara (C.G.) for the offences punishable under Sections 296, 351(2), 109 and 3(5) of the BNS, be released on bail on her 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against them 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 Bharatiya Nyaya Sanhita 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 her, in accordance with law, under Section Section 209 of Bharatiya Nyaya Sanhita.



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(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 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 her in accordance with law.

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

Sd/-

(Ramesh Sinha)
Chief Justice

Akhil