



2026:CGHC:17919



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3543 of 2026**

Mahmuda Begum W/o Salim Khan Aged About 42 Years R/o- Beside Of
Kanya Shala, Gurunanak Ward, P.S.- Basna, Distt.- Mahasamund (C.G.)

--- Applicant(s)**versus**

State Of Chhattisgarh Through- Station House Officer, P.S.- Dhamtari,
Dhamtari (C.G.)(Wrongly Mentioned City Kotwali In Impugned Order)

--- Non-applicant(s)

For Applicant	: Mr. Saket Pandey, Advocate
For Non-applicants/State	: Ms. Palak Dwivedi, Panel Lawyer.

MCRC No. 3566 of 2026

Mahmuda Begum W/o Salim Khan Aged About 42 Years R/o Beside Of
Kanya Shala, Gurunanak Ward P.S. Basna District- Mahasamund (C.G.)

---Applicant(s)**Versus**

State Of Chhattisgarh Through Station House Officer, P.S. Dhamtari
Dhamtari (C.G.) (Wrongly Mentioned City Kotwali In Impugned Order)

--- Non-applicant(s)

For Applicant	: Mr. Saket Pandey, Advocate
For Non-applicants/State	: Ms. Monika Thakur, Panel Lawyer.

**MCRC No. 3560 of 2026**

Mahmuda Begum W/o Salim Khan Aged About 42 Years R/o Beside Of
Kanya Shala Gurunanak Ward P.S. Basna Dist- Mahasamund (C.G.)

---**Applicant(s)**

Versus

State Of Chhattisgarh Through Station House Officer P.S. Dhamtari
(C.G.) (Wrongly Mentioned City Kotwali In Impugned Order)

--- **Non-applicant(s)**

For Applicant	: Mr. Saket Pandey, Advocate
For Non-applicants/State	: Ms. Smriti Shrivastava, Panel Lawyer.

MCRC No. 3555 of 2026

Mahmuda Begum W/o Salim Khan Aged About 42 Years R/o- Beside Of
Kanya Shala, Gurunanak Ward, P.S.- Basna, Dist- Mahasamund (C.G.)

---**Applicant(s)**

Versus

State Of Chhattisgarh Through Station House Officer P.S.- Dhamtari,
District Dhamtari (C.G.) (Wrongly Mentioned City Kotwali In Impugned
Order)

--- **Non-applicant(s)**

For Applicant	: Mr. Saket Pandey, Advocate
For Non-applicants/State	: Ms. Ritika Verma, Panel Lawyer.

MCRC No. 3544 of 2026

Mahmuda Begum W/o Salim Khan Aged About 42 Years R/o Beside Of
Kanya Shala, Gurunanak Ward, P.S. Basna, Distt Mahasamund (C.G.).

---**Applicant(s)**

Versus

State Of Chhattisgarh Through Station House Officer P S Dhamtari,
Dhamtari Chhattisgarh (Wrongly Mentioned City Kotwali In Impugned
Order)

---- **Non-Applicant(s)**



For Applicant : Mr. Saket Pandey, Advocate
For Non-applicants/State : Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

20/04/2026

1. Since all the the bail applications are arising out of same incidents registered at same police station and also the applicant is same in all the bail applications but their crime numbers are different, they are being heard and decided by this common order.
2. These are the first bail applications filed by the same applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with different Crime Numbers i.e. 149/2025, 156/2025, 155/2025, 157/2025 and 154/2025, all registered at Police Station Dhamtari, District Dhamtari (C.G.), for the offences punishable under Sections 331(4), 305(A), 3(5), 111(2)(b) of BNS.
3. As per the prosecution case, on different dates in the months of May and June, 2025, various complainants lodged written reports at Police Station City Kotwali, Dhamtari (C.G.) stating that during night hours, unknown persons committed house-breaking in several temples situated at different locations within Dhamtari and decamped with cash and other valuable articles kept in donation boxes and temple premises. On the basis of such reports, Crime Nos. 149/2025, 156/2025, 155/2025, 157/2025 and 154/2025 were registered against unknown persons for the offences punishable under Sections 331(4), 305(A), 3(5) and 111(2)(b) of



the BNS and investigation was taken up. During the course of investigation, on the basis of memorandum statements recorded in Crime No.165/2025 of Police Station Kurud, the present applicant along with co-accused persons allegedly admitted their involvement in a series of thefts committed on different dates i.e. 18.05.2025, 29.05.2025, 06.06.2025, 13.06.2025, 21.06.2025 and 22.06.2025 at various temple locations. On the basis of such memorandum and other material collected during investigation, the present applicant was formally arrested in the present cases and seizure proceedings were carried out. The prosecution further alleges that the applicant, along with co-accused persons, has been involved in repeated offences of night house-breaking and theft in temples and other places of worship in a systematic and organized manner, thereby indicating that they are habitual offenders. It is also alleged that the applicant was already in custody in other criminal cases and his arrest in the present cases has been formally shown, which reflects that multiple criminal cases have been registered against him.

4. Learned counsel for the applicant submits that the applicant has not committed any offence as alleged and has been falsely implicated in the present cases. It is contended that there is no specific allegation against the applicant in the FIR and her implication appears to be solely on account of her being a family member, i.e., sister of the main accused and not on the basis of any independent evidence. It is further submitted that the applicant neither participated in nor was present at the alleged place of



occurrence at the relevant time and her name has been unnecessarily roped in to falsely implicate her. It is also argued that no incriminating article has been seized from the possession of the applicant so as to connect her with the alleged offences. Learned counsel further submits that the applicant is a lady suffering from various ailments and is undergoing medical treatment and she has been in custody since 29.08.2025. It is contended that the trial is likely to take considerable time for its conclusion, moreover, in the present cases, out of 13 prosecution witnesses, only 4 witnesses have been summoned so far. It is thus submitted that the case of the present applicant stands on a different footing from that of the co-accused persons and considering the settled principle that bail is the rule and jail is an exception, the applicant deserves to be enlarged on bail.

5. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the present applicant is involved in a series of serious offences of house-breaking and theft committed during night hours in various temples, which clearly reflects the organized and habitual nature of the crime. It is submitted that as per the prosecution case, in Crime No.149/2025, an amount of approximately ₹30,000–40,000/- was stolen from the donation box of Nageshwar Temple, in Crime No.156/2025, cash of about ₹3,000/-, one silver Charan Paduka valued at around ₹20,000/- and a silver crown of Lord Gopal Ji valued at about ₹2,000/- were stolen from Shri Ram Temple, Itwari Bazar; in Crime No.155/2025, an amount of ₹2,500–3,000/- was stolen from Kali Temple situated



near Bus Stand, in Crime No.157/2025, cash of about ₹4,000/- was stolen from Siddheshwar Nath Mahadev Temple, and in Crime No.154/2025, a silver (*chhatar*) along with cash kept in the donation box was stolen from Ratneshwar Temple, Ratnabandha. It is further submitted that during the course of investigation, on the basis of memorandum statements recorded in connected Crime No.165/2025 of Police Station Kurud, the present applicant along with co-accused persons has admitted their involvement in multiple such incidents committed on different dates and pursuant thereto, recoveries of stolen articles and cash have been effected from the possession of the co-accused persons, which prima facie establishes their involvement. It is further contended that the applicant was already in custody in other criminal cases and her arrest in the present cases has been formally shown, which indicates that multiple criminal cases are registered against her and she is a habitual offender. It is also argued that the acts of the applicant attract the provisions of Section 111 of the BNS relating to continuous unlawful activity, as within a short span, several offences punishable with more than three years have been registered against her, thereby showing that she is part of an organized crime syndicate engaged in committing such offences in a systematic manner. Therefore, considering the gravity of allegations, nature of offence and possibility of influencing witnesses or tampering with evidence, the applicant does not deserve to be enlarged on bail.

6. I have heard learned counsel appearing for the parties and perused



the case diary.

7. Considering the facts and circumstances of the case, nature and gravity of the offences alleged against the applicant and further taking into account that there is no specific or direct allegation attributed to the present applicant in the FIR and no incriminating article has been seized from her possession and the alleged stolen property has been recovered from the possession of the co-accused persons and further considering that the present applicant is a lady, stated to be suffering from ailments and is in custody since 29.08.2025 and that she is the sister of the co-accused persons and her case stands on a different footing from that of the other co-accused and also taking into consideration the stage of trial wherein out of 13 prosecution witnesses only 4 witnesses have been summoned and the trial is likely to take considerable time for its final conclusion, thus without expressing any opinion on the merits of the case, this Court is inclined to allow the bail applications.
8. Accordingly, the bail applications of the applicant are **allowed**.
9. Let the Applicant- **Mahmuda Begum**, involved in different Crime Numbers i.e. 149/2025, 156/2025, 155/2025, 157/2025 and 154/2025, all registered at Police Station Dhamtari, District Dhamtari (C.G.), for the offences punishable under Sections 331(4), 305(A), 3(5), 111(2)(b) of BNS, be released on bail on her furnishing a **personal bond** with **two sureties in each cases** 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 she 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 her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her, 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 opinion of the trial court absence of the applicant are deliberated 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.

- 10.** Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

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