



2026:CGHC:17924



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3525 of 2026

Jaam Bai D/o. Ganeshdas, Aged About 60 Years, R/o. Gajbasti, Navdha Chowk, Police Station - Bankimogra, District- Korba (C.G.)

... Applicant

versus

State of Chhattisgarh Through Police Station- Bankimogra, District- Korba (C.G.)

... Non-Applicant

For Applicant	: Mr. Hrishabh Deo Shukla, Advocate.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

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

20.04.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with FIR/Crime No. 16/2026 registered at Police Station – Bankimogra, District- Korba (C.G.) for the offence punishable under Sections 132, 221, 226 and 191 of Bharatiya Nyaya Sanhita (for short 'BNS').
2. The prosecution case, in sum and substance, is that the complainant, namely Jyotsana Toppo, lodged a written report on 23.01.2026 before Police Station Bankimogra stating that, on the date of the incident, i.e., 23.01.2026, construction work of the Government Mangal Bhawan was being carried out by the Municipal Corporation, Bankimogra. At that time,



the present applicant, along with other co-accused persons, namely Fuleshwar Surajiha, Ganga Bai, Leeta Mahant, and Bhagwati Mahant, allegedly interrupted the construction work and caused a breach of peace by gathering a crowd, shouting, and making noise. The police arrested the present applicant and registered offences under Sections 132, 221, 226, and 191 of the Bhartiya Nyaya Sanhita, 2023. Hence, this application.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case in question. It is further submitted that the applicant is an old lady aged about 60 years. From the perusal of the case diary, it is clear that there are no specific allegations or overt acts attributed to the present applicant in connection with the alleged crime. It is also submitted that the co-accused, namely, Leeta Mahant, has already been granted bail by this Court vide order dated 01.04.2026 passed in MCRC No. 2940/2026. Further, the applicant has seven previous criminal antecedents, out of which five cases are related to Istagahas, in one case, she has been acquitted, and one case is pending. An explanation in this regard has been provided in paragraph 4(a) of the bail application. It is further submitted that the charge-sheet has already been filed and the applicant is in judicial custody since 19.02.2026. The trial is likely to take considerable time to conclude. Therefore, it is prayed that the applicant be granted bail on the ground of parity.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. However, he could not dispute the fact that the co-accused has already been granted bail by this Court. The criminal antecedents of the applicant have been mentioned and explained in paragraph 4(a) of the bail



application.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence and the fact that the co-accused, namely, Leeta Mahant, has already been granted bail by this Court vide order dated 01.04.2026 passed in MCRC No. 2940/2026, further, the applicant has seven previous criminal antecedents, out of which five cases are related to Istagasas, in one case, she has been acquitted, and one case is pending, an explanation in this regard has been provided in paragraph 4(a) of the bail application, the charge-sheet has already been filed and the applicant is in judicial custody since 19.02.2026, this Court is of the view that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail is **allowed**. Let the Applicant- **Jaam Bai**, involved in FIR/Crime No. 16/2026 registered at Police Station – Bankimogra, District- Korba (C.G.) for the offence punishable under Sections 132, 221, 226 and 191 of Bharatiya Nyaya Sanhita (for short '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 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 her 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 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 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.

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

Sd/-
(Ramesh Sinha)
Chief Justice