



2026:CGHC:21408



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4292 of 2026**

- Pushpa @ Pooja Sahu D/o Late Daulal Sahu Aged About 20 Years R/o Village Dutkaiya, (Khapri), P.S. Rajim, Distt. Gariabandh, Chhattisgarh.

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

- State of Chhattisgarh Through The Station House Officer, P.S. Rajim, Distt. Gariabandh, Chhattisgarh.

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Siddharth Pandey, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No. 31/2026, registered at Police Station – Rajim, District – Gariabandh (C.G.) for the offence punishable under Sections 296, 115(2), 351(3), 332(b), 332(c), 109(1), 190, 191(2), 191(3), 326(g), 238, 117(2), 118(2) of BNS.
2. The case of the prosecution, is that a Dehati-Nalsi was lodged by the Complainant / Kasmuddin Quraishi @ Raju Khan on 02.02.2026 at



about 13.30 hours to the effect that he is a matriculation pass and does the business of property dealing. It was further alleged that his neighbour, namely, Aarif Khan, went to jail for breaking and damaging Shivaling and after getting released from jail, he created a ruckus in the village by assaulting the villagers of Village Dutkaiya and nearby villagers of Village Parsada on the intervening night of 31.01.2026 to 01.02.2026. It was further alleged that on account of the said ruckus, the villagers got annoyed on 01.02.2026. It has also been alleged that the villagers/the victims of assault and ruckus committed by Aarif Khan, surrounded the Complainant and his family members, damaged his house and abused him filthily when the complainant and his family members restrained them. It is also alleged that the villagers, namely, Bhupendra Sahu, Upendra Sahu, Amar Sahu, Bholashankar Sahu, Karan Patel and all other residents of Village Dutkaiya (Khapri), in furtherance of their common intention, committed marpeet with the complainant and caused injuries by knife, rod, and stick and the articles kept in the house and the vehicles were put on fire. It was further alleged that the neighbours of the complainant, namely, Anwar Khan and Balla @ Amjad Khan, were also assaulted by the miscreants and their houses as well as vehicles were also set ablaze. It was also alleged that the accused persons, namely, Bhupendra Sahu, Upendra Sahu, Amar Singh Sahu, Bholashankar Sahu, Karan Patel and other persons assaulted the complainant using an iron rod and bricks, which caused injury to the Police personnel who were carrying away the complainant and other victims of the incident. On the basis of the aforesaid, an FIR bearing Crime No. 31/2026 for the offence punishable under Sections 296, 115 (2), 351 (3), 332 (b), 332 (c), 109 (1), 190, 191 (2), 191(3), 326 (g) of B.N.S.



3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case, the applicant happens to be a lady and there is no criminal antecedents registered against the present applicant. He further submits that charge-sheet has been filed in this case. The applicant is in jail since 01.04.2026 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that the applicant is not entitled for grant of bail. He further contended that there are in total 30 accused persons involved in the present case, out of which 8 accused persons are still absconding, whereas 22 accused persons are presently in judicial custody. It is submitted that the large number of accused persons involved clearly reflects the seriousness and organized nature of the offence. It is further submitted that there are 16 injured persons in the present case; however, medical examination of only 3 injured persons could be conducted, while the remaining 13 injured persons refused to undergo medical examination. Despite such refusal, the statements of the injured witnesses and other material collected during investigation prima facie establish the involvement of the accused persons in the alleged offence, therefore she is not entitle for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the applicant happens to be a lady and there is no any



criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 01.04.2026 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Pushpa @ Pooja Sahu**, involved in Crime No. 31/2026, registered at Police Station – Rajim, District – Gariabandh (C.G.) for the offence punishable under Sections 296, 115(2), 351(3), 332(b), 332(c), 109(1), 190, 191(2), 191(3), 326(g), 238, 117(2), 118(2) of BNS, be released on bail on his 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 his counsel. In case of his 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 his 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 him, 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 him in accordance with law.

8. Office is directed to send a certified copy of this order to the trial



Court concerned for necessary information and compliance forthwith.

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

Vaishali