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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4240 of 2026**

Laxmi Sharma W/o Gopal Sharma Aged About 35 Years R/o Harnabandha,
Ward No. 11, Behind Shri Shivam Mall, Durg, Tehsil And District- Durg,
Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through SHO, Police Station Newai, District- Durg (C.G.)

... Non-applicant

For Applicant	:	Mr. Shikhar Bakhtiyar, Advocate.
For Non-applicant/State	:	Mr. Shailendra Sharma, Panel Lawyer.

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

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 198/2026 registered at Police Station Newai, District Durg (C.G.) for the offence punishable under Section 296, 115, 351(3), 308(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 of Protection of Debtors Act.
2. The prosecution case, as set forth in the FIR lodged by the complainant, Smt. Ritu Bharti, arises out of allegations of illegal money lending, extortion, and physical assault. The complainant alleges that she borrowed a sum of Rs. 4,80,000/- from co-accused Kanchan Singh by



mortgaging 74 grams of gold and the original documents of her house. It is alleged that the accused persons charged an unconscionable rate of interest at 80% per month and, despite the complainant allegedly repaying a total sum of Rs. 22,80,000/- through cash and online modes, the accused persons continued to harass and blackmail her for further payments. It is further alleged that on 11.03.2026, the applicant accompanied the co-accused to the complainant's residence, where they subjected the complainant to obscene verbal abuse, extended life threats, and physically assaulted her in an attempt to extort further illegal money. On the basis of these allegations, the applicant has been implicated in the present case and was subsequently apprehended in connection with the aforesaid allegations.

3. It has been argued by learned counsel for the applicant that the present applicant is innocent and has been falsely implicated in the present case merely because she was a member of the same women's group allegedly formed by the complainant for personal monetary benefit. He also submits that the Hon'ble Court may kindly be pleased to consider that the entire case of the prosecution revolves around a money-lending transaction between the complainant and the co-accused, Kanchan Singh. The present applicant, Laxmi Sharma, is neither a moneylender nor a beneficiary of the alleged loan transaction. The applicant has been roped into the FIR merely on account of her acquaintance with the main accused. The complainant has adopted a "net-casting" theory to implicate the applicant only to add gravity to the complaint. The allegation that the applicant accompanied the co-accused to the complainant's house is a common ploy in such disputes to establish "common intention" where none, in fact, exists. He further submits that the complainant's claim of having paid Rs. 22,80,000/- in cash against a principal loan



amount of Rs. 4,80,000/- is inherently improbable and lacks corroborative banking evidence. It appears that the complainant has invented these figures in order to evade her actual liability towards the co-accused and has used the present applicant as a scapegoat to build a false case of extortion. He also submits that the main accused, namely, Smt. Kanchan Singh has already been granted anticipatory bail by this Court in MCRCA No. 640 of 2026 vide order dated 30.04.2026. He submits that the applicant has no criminal antecedents and she is in jail since 05.04.2026, conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail application and submit that the charge-sheet has not been submitted in the present case before the competent Court.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the submissions advanced by learned counsel for the parties, and taking into account the allegation against the applicant that she accompanied the co-accused to the residence of the complainant and actively participated in intimidating, threatening, and assaulting her for the purpose of extorting further illegal payments, this Court further notes that the main accused, namely, Smt. Kanchan Singh, has already been granted anticipatory bail by this Court in MCRCA No. 640 of 2026 vide order dated 30.04.2026. Additionally, though the charge-sheet has not yet been filed before the competent Court, the applicant has no criminal antecedents and has been in custody since 05.04.2026. Considering that the conclusion of the trial is likely to take considerable time, this Court is inclined to allow the present bail application.



7. Let the Applicant – **Laxmi Sharma**, involved in Crime No. 198/2026 registered at Police Station Newai, District Durg (C.G.) for the offence punishable under Section 296, 115, 351(3), 308(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 of Protection of Debtors Act, be released on bail on his furnishing **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 her counsel. In case of her 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



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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 concerned for necessary information and compliance forthwith.

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

Abhishek