



2026:CGHC:23557

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5051 of 2026

Neha Sharma W/o Jitendra Sharma Aged About 28 Years R/o- Deendayal, Puram, Phase- I, Chakradhar Nagar Raigarh District- Raigarh (C.G.)
... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer Police Station Chakradhar Nagar Raigarh District- Raigarh (C.G.)
... Respondent(s)

For Applicants	:	Mr. Krishna Tandon, Advocate through V.C.
For Non-applicant/State	:	Mr. Ghanshyam Kashyap, Dy. G.A.

Hon'ble Shri Bibhu Datta Guru, Judge
Order on Board

04.06.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No. 494/2025, registered at Police Station Chakradhar Nagar District Raigarh, C.G. for the offence punishable under Sections 331 (4), 305 (A) and 3 (5) of the B.N.S.
2. The case of the prosecution is that complainant Pramila Sharma lodged an FIR on 06.11.2025 alleging theft of ornaments and jewellery worth Rs. 12,27,000/- from her house between 22.10.2025 and

02.11.2025 by unknown persons. During investigation, on the basis of above report, the offence was registered against the unknown person and during the course of investigation the applicant has been arrested on the ground that she had worked in the complainant's house as a cook for two days and on the basis of the memorandum of a co-accused.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant has two criminal antecedents, bearing Crime No. 26/2024, in which she has already undergone sentence after conviction, and Crime No. 50/2025, which is still pending consideration. It is further submitted that the charge-sheet has been filed and no alleged stolen articles have been recovered from the possession of the applicant. It is also contended that the co-accused persons have already been granted bail by the learned Trial Court. The applicant is in jail since 19.01.2026 and the conclusion of trial is likely to take considerable time. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application and submits that the applicant has two other criminal antecedents. It is further submitted that the charge-sheet has already been filed in the present case. Learned State counsel also contends that the applicant is the main accused and is alleged to have committed the offence of theft, and therefore, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case-diary.

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the allegations levelled against the applicant, and the fact that in Crime No. 26/2024 the applicant has already undergone sentence after conviction and the other Crime No. 50/2025, Jutemill is still pending, and further considering that the alleged stolen articles have not been recovered from the present applicant, and also that the co-accused persons have already been enlarged on bail by the learned Trial Court, and further considering that the charge-sheet has been filed against the applicant, and that the applicant is in jail since 19.01.2026 and the conclusion of trial is likely to take considerable time, I am inclined to allow this application.
7. Let the applicant, **Neha Sharma** involved in Crime No. 494/2025, registered at Police Station Chakradhar Nagar, Distirct Raigarh C.G. for the offence punishable under Sections 331(4), 305 (A), 3 (5) of BNS, be released on bail on 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 their 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 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 applicants 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Bibhu Datta Guru)
Judge

Jyoti