



2026:CGHC:24736



2026:CGHC:24736

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5317 of 2026

1 - Smt. Chandraprabha Suryavanshi W/o Late Chhotun Suryavanshi Aged About 45 Years Both Are R/o Village Chhuiyapara Darri Police Station Hardibazar District Korba C.G.

2 - Abha Suyavanshi D/o Late Chhotum Suryavanshi Aged About 20 Years R/o Village Chhuiyapara Darri Police Station Hardibazar District Korba C.G.

...Applicants

versus

State Of Chhattisgarh Through- The Station House Officer Police Of Police Station Hardibazar District Korba C.G.

... Non-applicant

For Applicants	: Mr. Anil Kumar Gulati, Advocate.
For Non-applicant/State	: Mr. Nitansh Jaiswal, Dy. G.A.

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

18.06.2026

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 have been arrested in connection with Crime No. 20/2026, registered at Police Station – Hardibazar District Korba (C.G.) for the offence punishable under Sections 80(2) & 3(5) of the



BNS.

2. The prosecution story in brief is that initially merg intimation was lodged with regard to the death of Smt. Nisha Suryavanshi as the marriage of Nisha was solemnized on 29-04-2023 along with one Abhay Suryavanshi as per the caste custom prevailing between the parties. The merg intimation was lodged by Abhay Suryavanshi and in the merg intimation, it was stated that in the intervening night of 15/16-01-2026, the deceased committed suicide by hanging herself and on the basis of merg intimation, which was lodged by Abhay Suryavanshi, the police started the investigation and during the course of investigation, the statement of grandmother of deceased, aunt and uncle of deceased and statement of other witnesses recorded in which it was alleged that the applicants along with Abhay Suryavanshi ill-treated the deceased in the name of demand of dowry and they used to prevent the deceased not to talk to her family members on account of which the deceased committed suicide.
3. Learned counsel for the applicants submits that the applicants are innocent ladies and have been falsely implicated in the present case. It is contended that the applicants, being the mother-in-law and sister-in-law of the deceased, have been roped in on the basis of vague, general and omnibus allegations of dowry demand and ill-treatment, without any specific overt act being attributed to them. It is further submitted that the marriage of the deceased with Abhay Suryavanshi was solemnized on 29.04.2023 and, till the date of the unfortunate incident, neither the deceased nor any of her family members had ever lodged any complaint or report alleging cruelty or harassment on



account of dowry demand. During the course of investigation, statements of the witnesses, including the grandmother of the deceased, were recorded only after the incident and no material has been collected by the prosecution to establish that soon before her death the deceased was subjected to cruelty or harassment in connection with any demand for dowry, thereby making the ingredients of Section 80(2) of the Bharatiya Nyaya Sanhita prima facie inapplicable to the present applicants. It is also submitted that no dying declaration or suicide note has been recovered to indicate any involvement of the applicants in the commission of the alleged offence. According to the defence, the deceased took the extreme step following a dispute with her husband regarding his going to work on the date of the incident, and the applicants had no role whatsoever in the occurrence. The applicants are women, have been in judicial custody since 26.01.2026, and their continued detention serves no useful purpose. They are permanent residents of the address mentioned in the cause title, there is no likelihood of their absconding or tampering with the prosecution evidence, and they are ready and willing to furnish adequate sureties and abide by all such terms and conditions as may be imposed by this Hon'ble Court. The applicants reserve their right to raise additional grounds at the time of hearing of the case.

4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has been filed in the present case.
5. I have heard learned counsel for the parties and perused the case-diary.



6. Considering the facts and circumstances of the case and the submissions advanced by learned counsel for the parties, this Court finds that although it is alleged that the deceased was instigated to commit suicide and on 15/16.01.2026 she allegedly hanged herself at her matrimonial home but the post-mortem report opines the cause of death as asphyxia due to hanging and the nature of death as suicide. It is further observed that no suicide note has been recovered from the spot and there is no direct or circumstantial evidence on record to *prima facie* establish that the present applicants abetted or instigated the deceased to commit suicide. The charge-sheet has already been filed before the competent Court and the applicants have been in judicial custody since 26.01.2026. Considering that the conclusion of the trial is likely to take a considerable time, and without expressing any opinion on the merits of the case, this Court is of the considered view that the present applicants have made out a case for grant of bail and are, therefore, entitled to be released on bail in the present case.
7. Let applicants, **Smt. Chandraprabha Suryavanshi & Abha Suyavanshi**, involved in Crime No. 20/2026, registered at Police Station – Hardibazar District Korba (C.G.) for the offence punishable under Sections 80(2) & 3(5) of the BNS, be released on bail on furnishing **personal bond** with **two local sureties each** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicants 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.



2026:CGHC:24736

(ii) The applicants 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 them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicanta 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 them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 them 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/-
(Ramesh Sinha)
Chief Justice