



2026:CGHC:28023



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 967 of 2026

1 - Chandrawati Patel W/o Rajesh Patel Aged About 40 Years R/o Village - Parsdiha Police Out - Check Post- Wadrafnagar P/s Basantpur Distt- Balrampur-Ramanujanj,(C.G.)

2 - Sani Patel S/o Rajesh Patel Aged About 22 Years R/o Village - Parsdiha Police Out - Check Post- Wadrafnagar P/s Basantpur Distt- Balrampur-Ramanujanj,(C.G.)

3 - Aakash Patel S/o Rajesh Patel Aged About 20 Years R/o Village - Parsdiha Police Out - Check Post- Wadrafnagar P/s Basantpur Distt- Balrampur-Ramanujanj (C.G.)

...Applicants

versus

State Of Chhattisgarh Through- The Police Out Check Post Wadrafnagar P/s Basantpur Distt- Balrampur Ramanujanj (C.G.)

... Respondent

For Applicants	:	Mr. Rahul Mishra, Advocate.
For Non-applicant/State	:	Mr. Jitendra Shrivastava, Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

07.07.2026

1. Vide order dated 30.06.2026, the concerned Superintendent of Police was directed to file a personal affidavit explaining why the statement



of the victim had not been recorded under Section 183 of the BNSS.

In compliance with the said order, the Superintendent of Police has filed a personal affidavit stating that the Station House Officer had approached the victim for recording her statement, but she declined to do so at that time as she was unwell. Thereafter, on 01.07.2026, the statement of the victim was recorded under Section 183 of the BNSS. The Superintendent of Police has further stated that, considering the delay in recording the statement, an explanation was sought from the concerned Investigating Officer and a fine of Rs.1,000/- has also been imposed upon him. The explanation furnished by the Superintendent of Police appears to be satisfactory and is accordingly accepted. The matter is, therefore, heard finally.

2. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who are apprehending their arrest in connection with Crime No. 70/2026 registered at Police Station – Out Check Post Wadrafnagar P/s Basantpur District- Balrampur Ramanujganj (C.G.) for the offences punishable under Sections 296, 115(2), 351(3), 74, 333, 324(2) and 3(5) of the BNS.
3. The prosecution story in brief is that, on 27.04.2026, the complainant namely Suryawati lodged written complaint alleging that, on 26.04.2026 at about 10 P.M., Shani Patel, Aakash Patel, Chandrawati Patel (i.e. applicant no. 1 to 3) residents of Village Parsdiha, were came when she was sitting in her brother's Courtyard (Aangan) and started abusing her with filthy language and saying that you have filed a case against us. They removed her sari with the intention of



dishonoring her and beat her with stick and snatched her mobile and broke it, during the same time her neck chain fell off. After that, the complainant lodged First Information Report for offence punishable under Section 296, 115(2), 351(3), 74, 333, 324(2) & 3(5) of B.N.S.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is contended that no material is available on record to connect the applicants with the alleged offence. Learned counsel further submits that, prior to the registration of the present FIR, the husband of applicant No.1 had lodged a written complaint on 16.03.2026 at Police Outpost Wadrafnagar, Police Station Basantpur, District Balrampur-Ramanujganj, alleging that the complainant and her son had assaulted him and threatened to implicate the applicants in a false case in connection with a land dispute. It is further submitted that applicant No.1 and the complainant are real sisters and the present case has been lodged as a counterblast due to the ongoing dispute regarding ancestral land. Learned counsel also submits that applicant No.1 is a 40-year-old lady and applicants No.2 and 3 are college students whose studies are likely to be adversely affected by their arrest. It is further submitted that the applicants 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 to abide by all such terms and conditions as may be imposed by this Court. Hence, it is prayed that the applicants be granted the benefit of anticipatory bail.



5. On the other hand, learned State counsel opposed the anticipatory bail application of the applicants.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the overall facts and circumstances of the case, the submissions advanced by learned counsel for both parties, the nature of the dispute, and the material available on record, therefore, without expressing any opinion on the merits of the case, this Court is of the view that the applicants have made out a fit case for grant of anticipatory bail.
8. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Chandrawati Patel, Sani Patel & Aakash Patel**, on executing a personal bond and one local surety in the like sum to the satisfaction of the arresting Officer, they shall be released on bail on the following conditions:-
 - (a) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - (b) they shall not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) they shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) the applicants and the surety shall submit a copy of his adhaar card along with a coloured postcard full size photo



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having printed the adhaar number on it, which shall be verified by the trial Court.

(e) they shall not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

vaibhav