



2026:CGHC:24726



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5322 of 2026

Amjad Khan S/o Nasim Khan Aged About 48 Years R/o Kota Masjid Road,
Beside Govt. Primary School Kota, P.S. Saraswati Nagar, District Raipur
Chhattisgarh **...Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Saraswati Nagar, District Raipur Chhattisgarh **...Non-applicant**

For Applicant : Mr. C.R. Sahu, Advocate.

For Non-applicant/State : Mr. S.S. Baghel, G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

18.06.2026

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 he has been arrested in connection with Crime No. 56/2026, registered at Police Station : Saraswati Nagar, District Raipur (C.G.) for the offence punishable under Section 108 of the BNS.
2. As per the prosecution case, the complainant, has lodged report to concerned police station with intend that the applicant is husband of



the deceased and the applicant was harassed and mentally tortured to the deceased in the name of illegal activity, due to mentally harassment, deceased was committed suicide herself by hanging in the fan. Based upon such report, concerned police station has registered the offence punishable under section 108 of B.N.S. against present applicant.

3. Learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. It was contended that the applicant, being the husband of the deceased, neither instigated nor abetted the commission of suicide and had no role in the alleged offence. At best, there existed certain ordinary matrimonial and family disputes between the applicant and the deceased, which have been given a criminal colour. It was further submitted that the applicant was implicated merely on suspicion and that the investigation has not been conducted in a fair and proper manner. Learned counsel argued that there is no cogent material on record to substantiate the allegations against the applicant and that the prosecution case is based on false and fabricated accusations. It was also submitted that no prima facie case is made out against the applicant. The applicant has been in judicial custody since 08.03.2026, is a poor person, and his continued incarceration is causing severe hardship to his family. It was further submitted that the applicant is a permanent resident of the address mentioned in the cause title and there is no likelihood of his absconding or tampering with the prosecution evidence. On these grounds, prayer was made for grant of bail.



4. Learned State counsel opposed the bail application and submitted that the applicant had subjected the deceased to continuous mental and physical cruelty on account of suspicion regarding her character and demands relating to property from her parental home. It was further submitted that immediately prior to the incident, the applicant had assaulted and threatened the deceased, and the post-mortem report also reveals injuries on her body. Considering the gravity of the allegations and the material collected during investigation, it was prayed that the bail application be rejected.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the submissions advanced by learned counsel for the parties, and upon perusal of the case diary, this Court finds that the deceased was married to the applicant in the year 2011 and, as per the prosecution case, was subjected to continuous mental and physical harassment by the applicant on account of his suspicion regarding her character and his demand that she bring her share of the property from her parental home. The material collected during investigation *prima facie* indicates that immediately prior to the incident, the applicant had abused and assaulted the deceased and had allegedly threatened her, thereby causing severe mental trauma. It is further noteworthy that, as per the post-mortem report, the deceased was found to have sustained grievous injuries, including contusions on her body, which lend *prima facie* support to the prosecution allegation of physical assault. The statements of the witnesses and other material available on record



prima facie disclose a proximate nexus between the conduct of the applicant and the commission of suicide by the deceased. Having regard to the nature and gravity of the allegations, the specific role attributed to the applicant, the material collected during investigation, and the circumstances in which the offence is alleged to have been committed, and without expressing any opinion on the merits of the case, this Court is of the considered view that no case for grant of bail is made out at this stage. Accordingly, the bail application filed by the applicant deserves to be and is hereby rejected.

7. Accordingly, the first bail application of the applicant – **Amjad Khan**, involved in Crime No. 56/2026, registered at Police Station : Saraswati Nagar, District Raipur (C.G.) for the offence punishable under Section 108 of the BNS, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. 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