



2026:CGHC:24754



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5333 of 2026

Yadavram Nishad S/o Bhagolee Ram Nishad, Aged About 36 Years R/o Village Bagdai, Thana And Tahsil Dongargaon, District Rajnandgaon (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Dongargaon, District Rajnandgaon (C.G.)

... Respondent

For Applicant	: Shri Parag Kotecha, Advocate.
For	: Shri Saumya Rai, Dy.G.A.
Respondent/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

18/06/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No.0110 dated 11/4/2026 registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under



Sections 108 & 85 of BNS.

2. Case of the prosecution, in brief, is that it was an allegation against the present applicant that his wife Mamta Bai Nishad had consumed poison due to which her health deteriorated and she died while being brought to Dongargaon Government Hospital for treatment. On this report, a Marg No. 24/25 under Section 194 BNSS was registered and the investigation panchnama proceedings were conducted and the post-mortem of the deceased's body was conducted, deceased's viscera was preserved and get it chemically tested. The test report found the presence of organophosphorus insecticide Chlorpyrifos poison in the deceased's viscera. During the investigation, witnesses stated that the applicant used to beat and torture his wife every day over small matters. Due to which, it was found during investigation that the deceased, after being harassed, consumed poison on the date of the incident to commit suicide, hence an offence was registered.
3. Learned counsel for the applicant submitted that the marriage of the applicant with the deceased was solemnized 14 years ago and there was some quarrel between the applicant and the deceased on the trivial issues on account of which she committed suicide by consuming some poisonous substance and as per the postmortem report the cause of death is poisoning and there is no antemortem injuries found on the person of the deceased. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 12/04/2026 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application



and submitted that charge sheet has been filed in this case case. He would submit that it is a case of poisoning and there is no suicide note.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, nature of allegation levelled against the applicant, considering the fact that it is a case of poisoning and there is no suicide note, period of detention of the applicant since 12/04/2026, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Yadavram Nishad**, involved in Crime No.0110 dated 11/4/2026 registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 108 & 85 of BNS, be released on bail on his furnishing a **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 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.

(ii) The applicant 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 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 him, 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 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 him in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE