



2026:CGHC:24692

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 5262 of 2026**

Mahesh Kumar Shriwas S/o Shri Ashok Kumar Shriwas Aged About 26 Years
R/o Vill- Nariyara, Naharpara, Ward No. 04, P.S. Mulmula, Dist- Janjgir-
Champa (C.G.)

... Applicant**versus**

State of Chhattisgarh Through - S.H.O. P.S. Mulmula, Dist.- Janjgir-Champa
(C.G.)

... Non-applicant

For Applicant : Mr. Ravindra Sharma, Advocate

For Non-applicant/State : Ms. Monika Thakur, Panel Lawyer.

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 Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 36/2026 registered at Police Station Mulmula, District – Janjgir-Champa (C.G.), for the offences punishable under Sections 80 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. As per the prosecution story, the complainant, A.S.I., Police Station Mulmula, conducted the Marg inquiry in Marg No. 02/2026 upon

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receiving information regarding the death of the deceased, Smt. Jagriti Shriwas, allegedly due to consumption of pesticide. During the course of the Marg inquiry, statements of witnesses, who were members of the maternal family of the deceased, were recorded. In their statements, it was disclosed that the marriage of Smt. Jagriti Shriwas with the present applicant, Mahesh Shriwas, was solemnized on 11.07.2024 and that, due to an alleged demand for dowry, the present applicant and the other co-accused persons used to mentally and physically harass her. It was further alleged that on 08.12.2025, due to such harassment, she consumed a pesticide namely "Zura" at her residence situated at Village Naryara. Thereafter, she was taken to the hospital, where she was declared dead. Consequently, a complaint was lodged against the present applicant and the other co-accused persons. On the basis of the Marg intimation, Police Station Mulmula registered Crime No. 36/2026 for offences punishable under Sections 80 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and the applicant was arrested on 10.02.2026.

3. Learned counsel for the applicant submits that the present applicant is an innocent person and has been falsely implicated in the aforesaid case. He submits that the applicant has not committed any offence as alleged and has been falsely implicated in the present matter. It is further submitted that the applicant is the husband of the deceased and had no role whatsoever in connection with the alleged crime. He further submits that immediately upon learning of the incident, the deceased was taken to the hospital, where she was declared dead. The applicant never made any demand for dowry and, at no point of time, subjected the deceased to any mental or physical cruelty. It is also submitted that the allegations against the applicant have been levelled by the parents and family members of the deceased out of ill-will and anger. During her lifetime, the

deceased never made any allegation against the applicant, and she was living happily with him. It is further submitted that out of the wedlock, a child aged about 10–11 months was born, and there is no one available to take proper care of the child in the absence of the applicant. Learned counsel also submits that there is an inordinate delay in lodging the present FIR, as the alleged incident took place on 08.12.2025, whereas the FIR was lodged against the applicant on 21.01.2026, i.e., approximately one and a half months after the incident. It is also submitted that the applicant has no criminal antecedents and has been in judicial custody since 10.02.2026. As the conclusion of the trial is likely to take considerable time, learned counsel prays for the grant of regular bail to the applicant.

4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge - sheet has already been submitted in the present case. She submits that during the Marg inquiry, statements of the parents and other family members of the deceased revealed that the applicant and the co-accused persons used to subject the deceased to mental and physical cruelty in connection with a demand for dowry. Owing to such harassment, the deceased allegedly consumed pesticide on 08.12.2025 and subsequently died. On the basis of the material collected during the inquiry, a prima facie case is made out against the applicant. Therefore, he is not entitled to the grant of regular bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, particularly the delay in lodging the FIR, the fact that immediately upon learning that the deceased had consumed pesticide, the applicant himself took her to the hospital for medical treatment, moreover, the fact that, as per the post-

mortem report, no ante-mortem injuries were found on the body of the deceased, also considering that the applicant has no criminal antecedents, the charge-sheet has already been filed before the competent Court, and the applicant has been in judicial custody since 10.02.2026, while the conclusion of the trial is likely to take considerable time, this Court is of the view that the present applicant is entitled to be released on bail in this Case.

7. Let the Applicant – **Mahesh Kumar Shriwas**, involved in Crime No. 36/2026 registered at Police Station Mulmula, District – Janjgir-Champa (C.G.), for the offences punishable under Sections 80 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 be released on bail on his 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 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 concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Abhishek