



Digitally
signed by
BHOLA
NATH
KHATAI
Date:
2026.07.03
15:26:15
+0530



2026:CGHC:27153

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5845 of 2026

1 - Smt. Chaitibai Khunte @ Chaiti Bai (Applicant Name Correctly Mentioned W/o Sanjay Khunte @ Bablu Khunte (Wrongly Mentioned In Pg . 11 As Sanjay Khunte) Aged About 36 Years R/o Village Bhauwakapa P.S. Kota, District- Bilaspur (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Kota, District- Bilaspur (C.G.)

... Respondent

For Applicant	: Mr. Manoj Kumar Yadav, Adv.
For Respondent/State	: Ms. Deepa Singh, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

02/07/2026

1. Heard on admission.
2. Admit.
3. This is the first bail application filed under Section 483 of Bhartiya Nagrik Suraksha Sanhita Act, 2023 for grant of regular bail to the applicant who has been arrested in

connection with Crime No.828/2025, registered at Police Station – Kota, District- Bilaspur (C.G.) for offence punishable under Sections 302, 201, 404, 34 of IPC.

- 4.** As per the prosecution's case, the deceased George Michael lived alone in his own house. On 16.05.2022, at about 8:00 pm, Ashutosh Dewangan saw him returning home on his Activa scooter. On 17.05.2022, at about 11:00 am, Bablu Khute went inside the house and found George Michael lying dead on the bed. He informed the police by mobile phone. On receiving information, the police personnel reached the spot and found the deceased lying on the bed. Blood was oozing from his nose and mouth, and the body had turned black. The informant, namely George Harriel, brother of the deceased, reported that his younger brother, George Michael, had died under suspicious and unknown circumstances sometime between 8:00 p.m. on 16.05.2022 and 11:00 a.m. on 17.05.2022. On the basis of the said information, a case of unnatural death was registered, inquest proceedings were initiated in accordance with law and the dead body was sent for post-mortem examination. The post-mortem report did not opine the exact cause of death, and accordingly, the viscera of the deceased was preserved and forwarded to the Forensic Science Laboratory, Bilaspur, for chemical examination.
- 5.** As per the FSL report, the viscera tested positive for the presence of ethyl alcohol and aluminium phosphide. Subsequently, George Harriel, brother of the deceased, filed a complaint before the learned Judicial Magistrate First Class, Kota, Bilaspur, against the present applicant and the co-accused persons. The learned Magistrate forwarded the complaint to the Station House Officer, Police Station Kota, for investigation. Upon completion of the preliminary

inquiry, the investigation report was submitted before the learned Magistrate. Pursuant to the directions issued by the learned Magistrate, Police Station Kota registered the First Information Report against the accused persons, namely, Sanjay Khute @ Bablu Khute, the present applicant Chaiti Bai Khute, and Panchram Khute, for the offences punishable under Sections 302, 201, 404 read with Section 34 of the Indian Penal Code. After completion of the investigation, the police found sufficient material to prosecute the accused persons and accordingly filed the charge-sheet before the Court of competent jurisdiction.

6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that there are three accused persons in the case i.e. the present applicant, her husband **Sanjay Khunte @ Bablu Khunte** and her father-in-law **Panchram Khunte**. The applicant and her husband were the caretakers of the properties belonging to the deceased. It is submitted that there was an agreement between them to sell the deceased's property for ten lakh rupees in favour of the applicant and a civil suit arising out of the said transaction has already been decided in favour of the accused as against the deceased's brother/complainant. It is further contended that there is no direct evidence connecting the applicant with the alleged offence. The First Information Report came to be registered nearly three years after the alleged incident pursuant to the directions of the Court on a complaint lodged by the deceased's brother/complainant. However, despite being afforded four opportunities, the complainant has failed to appear before the trial Court for his examination. It is also submitted that no incriminating article has been seized from the

possession of the applicant. Out of the total 14 prosecution witnesses, only six have been examined so far. The applicant has remained in judicial custody since 14.10.2025. It is further submitted that although the bail application of co-accused Panchram Khunte was rejected on 09.02.2026 in MCRC No.896/2026 on the ground that the trial had not commenced, the circumstances have now changed as the trial is progressing at a slow pace and is likely to take considerable time for its conclusion. Therefore, considering all these facts the applicant be enlarged on bail.

- 7.** Per contra, learned counsel appearing for the State opposes the prayer for bail and submits that there are three accused persons in the present case who, in furtherance of a criminal conspiracy, committed the murder of the deceased. It is submitted that the accused persons had a clear motive to commit the offence as they were caretakers of the deceased's properties and had a vested interest therein. It is further contended that the bail application of co-accused Panchram Khunte has already been rejected and the case of the present applicant stands on the same footing as that of the said co-accused. Hence, considering the gravity of offence, it is prayed that the applicant is not entitled to the grant of bail.
- 8.** I have heard learned counsel for the parties and have perused the case diary as well as the material available on record.
- 9.** Having considered the rival submissions and the entire facts and circumstances of the case, particularly the fact that there is no direct evidence against the present applicant; that the FIR was registered after a delay of nearly three years from the date of the alleged incident; that the

complainant, at whose instance the FIR came to be registered, has not appeared before the trial Court for examination despite being granted four opportunities; that the applicant has remained in custody since 14.10.2025; that out of 14 prosecution witnesses only six have been examined till date; and that there is every likelihood of the trial taking considerable time to conclude, this Court is of the opinion that prima facie, a case for grant of bail to the applicant has been made out.

10. Accordingly, the application for grant of bail is **allowed**. It is directed that the present Applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. The applicant is directed to appear before the trial Court on each and every date to be given to her by the said Court till completion of the trial.
11. Office is directed to sent a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-
(Sanjay Kumar Jaiswal)
Judge