CGHC010287042026 2026:CGHC:46214

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6730 of 2026

- Shivani Sharma W/o Ankit Upadhyay Aged About 24 Years R/o Satyam Vihar Colony, Raipura, Gali No. 4, Near Manjeet Green City, House No. 383 Police Station D.D. Nagar Raipur, District- Raipur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through- Police Station D.D. Nagar Raipur, District- Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Aditya Dhar Diwan, Advocate
For Non-applicant	:	Mr. Sharad Mishra, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

02.11.2026

1) The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 255/2025, registered by Police Station D.D. Nagar, District Raipur (C.G.) for the offence punishable under Sections 103(1), 238(A), 61(2)(A) and 3(5) of Bhartiya Suraksha Sanhita, 2023.

2) The prosecution case, in brief, is that the complainant, Vishnu Sahu, lodged a complaint on 23.06.2026 to the effect that unknown persons had murdered an unidentified male, placed the dead body in a trunk, and abandoned it near Diprapara Nala, behind Wonderland Water Park, Raipur, between 12:00 pm and 02:00 pm on 23.06.2026. During the course of the investigation, the dead body was identified by the brother of the deceased. The police also retrieved CCTV footage wherein the accused persons, including the present applicant, were identified, and their memorandum statements were recorded. Thereafter, they were implicated in the aforesaid offence, and the applicant was arrested on 25.06.2026.

3) Mr. Manoj Paranjpe, learned Senior Counsel appearing for the applicant, submits that the applicant is an innocent woman who has been falsely implicated in the present case on the basis of memorandum statements, whereas only the recovery of a scooty and a mobile phone has been effected from her. He further submits that the co-accused persons, against whom there were allegations of screening the offence, have already been enlarged on bail by the learned Trial Court. He contends that the trial is progressing at a slow pace, as only 16 out of a total of 34 prosecution witnesses have been examined till date. He also points out that the applicant has no criminal antecedents and has been languishing in jail since 25.06.2025; therefore, as the

conclusion of the trial is likely to take some time, he prays for the grant of regular bail to the applicant.

4) On the other hand, learned counsel for the State opposes the bail application and submits that two co-accused persons were enlarged on bail by the learned Trial Court. In those orders, the Court categorically held that the role of the applicants therein was confined to disposing of the dead body and screening the offence, whereas the grievous knife injuries were attributed to the applicant's husband, and she assisted him in the commission of murder.

5) I have heard learned counsel for the parties and perused the case diary.

6) A careful perusal of the case diary would reveal that on 23.06.2025, an abandoned trunk containing the dead body of an unidentified male was recovered near Diprapara Nala, behind Wonderland Water Park, Raipur. The deceased was identified as Kishore Paikra. During the course of the investigation, the police retrieved CCTV footage wherein the accused persons, including the present applicant, were seen loading the said trunk into a car. The police seized a scooty and a mobile phone from the possession of the applicant, alleging that the trunk in question was purchased using the applicant's mobile phone through UPI.

7) In this bail application, the applicant has taken the plea of parity,

stating that the other accused persons, namely Vinay Yadu and Suryakant Yadu, have been enlarged on bail by the learned Trial Court. However, it is worth mentioning that the role of those individuals was confined to disposing of the dead body and screening the offence, whereas the grievous act of murder was exclusively attributed to the present applicant and her husband. Therefore, in view of the aforesaid discussion, the ground of parity is not available to the present applicant.

8) It is a settled principle of law that the Court's role at the stage of bail is confined to verifying the existence of a prima facie case. The recovery of the mobile phone from the applicant, which was used to purchase the trunk in question, links the applicant to the aforesaid offence. Furthermore, the CCTV footage shows the accused persons, including the present applicant, loading the said trunk into a car. Thus, in my considered view, the active participation of the present applicant in the commission of the aforesaid offence cannot be ruled out.

9) It is also contended in this bail application that only 16 out of a total of 34 prosecution witnesses have been examined till date, and most of them have not supported the case of the prosecution. However, the reliability and credibility of the prosecution witnesses cannot be tested at the stage of considering a bail application, and the applicant will have sufficient opportunity to substantiate

her plea of innocence by placing the relevant material before the learned Trial Court during the trial.

10) Considering the facts and circumstances of the case, and the gravity of the offence alleged against the applicant, this Court is not inclined to extend the benefit of bail to the applicant at this stage.

11) Accordingly, the instant bail application is **rejected.**

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya