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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8733 of 2026

- Smt. Monika Soni W/o Ravi Kumar Gupta Aged About 42 Years R/o Infront Of Sai Kripa Water Tank, Shankar Nagar, Ward No. 11, Police Station - Mohan Nagar, Durg, Tehsil And District - Durg, Chhattisgarh. (Particulars Of The Applicant Is Mentioned Correctly And Husband Name Wrongly Mentioned In Order Impugned)

... Applicant

versus

- State Of Chhattisgarh Through Officer In Charge, Police Station - Pulgaon, District - Durg (C.G.)

... Non-applicant

For Applicant	:	Mr. Chandresh Shrivastava, Adv.
For Non-Applicant	:	Mr. Dharmesh Shrivastava, Dy.A.G.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

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. 758/2026 registered at Police Station – Pulgaon, District Durg (C.G.) for the offence punishable under Sections 318(4) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. According to the prosecution story, the applicant and one Israr Ahmed took Rs. 5,42,000/- from the complainant on the pretext of

securing a government job as a Lab Attendant. When the accused persons failed to refund the afore-stated amount, an FIR was lodged by the complainant on 26.08.2026.

3. Learned counsel for the applicant submits that the applicant has already refunded a sum of Rs. 1,55,000/- online and Rs. 2,00,000/- in cash. He further submits that a cheque was also issued in favour of the complainant, which was subsequently dishonoured, and a notice under Section 138 of the N.I. Act was served on the applicant on 19.10.2026. He contends that the applicant has one pending case under Sections 409 and 238 of the IPC, which has been duly explained in the bail application. He further contends that the applicant has been in jail since 29.08.2026 and the conclusion of the trial is likely to take some time, therefore, he prays for the grant of regular bail to the applicant.

4. On the other hand, the learned State counsel opposes the bail application and submits that the applicant took money from the complainant on the pretext of providing a government job and that she has three criminal antecedents of a similar nature, including one pending case, therefore, she is not entitled to be enlarged on bail.

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

6. It appears that applicant has refunded Rs.1,55,000/- to the complainant, she has 01 live criminal antecedent u/s 409 and 238 of IPC and the same has been properly explained in the instant bail application. Charge-sheet has been filed, she is languishing in jail since 29.08.2026 and conclusion of the trial may take some more time, therefore, this Court is of the view that the applicant is entitled to be released on bail at this stage.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, she shall be released on bail on the following conditions:-

(a) she shall make himself available for interrogation by the police officer as and when required;

(b)she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court; and

(c) she shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya