CGHC010379462026 2026:CGHC:45053

NAFR

Digitally signed by RAMESH KUMAR VATTI
Date: 2026.10.28 15:29:04 +0530

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9068 of 2026

*** -** Smt. Shesh Kumari W/o Suresh Kumar Aged About 53 Years R/o Gram Bhalar P.S. And Tehsil Mamendragarh, District Manendragarh-Chirmiri-Bharatpur, C.G.

... Applicant

Versus

*** -** State Of Chhattisgarh Through- Station House Officer P.S. Manendragarh, District Manendragarh-Chirmiri-Bharatpur C.G.

... Non-Applicant

For Applicant	**:**	Mr. Anuroop Panda, Advocate
For Non-Applicant	**:**	Mr. Kawaljeet Singh Saini, Deputy Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

26/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as she is in jail since 23.08.2026 in connection with Crime No. 188/2026 registered in Police Station- Manendragarh, District Manendragarh-Chirmiri-Bharatpur (CG) for commission of offence punishable under Sections 80(2), 3(5) & 3(5) of BNS.

2. As per case of prosecution, deceased- Nisha Jaiswal was married to co-accused namely Neeraj Jaiswal on 14.06.2020 and she was residing at her matrimonial home alongwith her husband and other family members including the present applicant, who is mother of her

husband. After marriage, she was subjected to cruelty with demand of dowry by the present applicant and other family members. Further case of prosecution is that despite the alleged harassment, the deceased continued to reside in her matrimonial home and thereafter, on 08.08.2026, she committed suicide by hanging herself at matrimonial home. Consequently on 12.08.2026 FIR was registered for commission of offence punishable under Sections 80(2), 3(5) & 3(5) of BNS against the present applicant and 03 other family members of her husband.

3. Learned counsel appearing for the applicant would submit that the present applicant is innocent and she was residing separately from her son Neeraj and there is no material to establish that she was continuously residing with her son and deceased. He would contend that F.I.R. did not disclose any specific allegation of demand of dowry, therefore, offence under Section 80(2) of BNS is not made out against the present applicant, further charge-sheet has been filed and the applicant is in jail since 23.08.2026, thus, he would pray for grant of bail.

4. On the other hand, learned counsel for the State would submit that statements of mother, brother and sister of the deceased were recorded under Section 180 of BNSS, wherein they have categorically stated that there was demand of dowry and the deceased was being harassed and was subjected to cruelty by the present applicant and other family members, therefore, she committed suicide. He would submit that the bail application of the applicant deserves to be rejected.

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

6. Considering the fact that the deceased/bride committed suicide within 07 years of her marriage; mother, brother and sister of the deceased have made categorical statement with regard to cruelty and demand of dowry against the present applicant and other family members, and provisions of Section 80(2) of BNS, further taking note of the fact that dowry death is treated as a heinous crime against society; statutory presumption under Section 118 of Bhartiya Sakshya Adhiniyam, 2023; deceased died unnaturally within seven years of marriage, I am not inclined to release the present applicant on regular bail. Accordingly, the bail application of the present applicant is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti