CGHC010381782026 2026:CGHC:45105

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9158 of 2026

1 - Duryodhan Sahare @ Abhay Sahare S/o Shri Lakhan Sahare Aged About 31 Years R/o Village Kariyatola, Police Station - Dongargaon, District Rajnandgaon Chhattisgarh **... Applicant(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer Police Station Dongargaon, District Rajnandgaon Chhattisgarh **... Respondent(s)**

For Applicant (s)	:	Mr. Ratnesh Kumar Agrawal, Advocate
For Respondent(s)/State	:	Ms. Sameeksha Gupta, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 239/2026, registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 108 of BNS.

2. The case of the prosecution, in brief, is that on 25.04.2026, information was received that the applicant's wife had committed suicide by hanging herself in her bedroom. During the merg enquiry, the father of the deceased produced an alleged suicide note and the statements of

the relatives and other witnesses were recorded. During investigation, it surfaced that the applicant was allegedly maintaining an illicit relationship with another woman, on account of which frequent matrimonial disputes used to take place between the applicant and the deceased. It is further alleged that on the date of the incident there was a telephonic quarrel between the applicant and the deceased, immediately whereafter the deceased committed suicide. Pursuant to the said report, the offences, as stated above, were registered against the applicant.

3. Learned counsel appearing for the applicant would submit that there was no abetment on the part of the applicant. He would further submit that, as mentioned in the suicide note, there were frequent quarrels between the husband and wife, and the deceased had also alleged that the present applicant had tried to commit her murder. He would contend that the suicide note does not disclose any allegation constituting abetment within the meaning of Section 45 of the BNS. He would also submit that the charge-sheet has already been filed, the applicant has no criminal antecedents, and he is in jail since 18.08.2026. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel would oppose the bail application and submit that there were frequent quarrels between the husband and wife on account of the applicant's alleged relationship with another woman. She would further submit that the deceased has made serious allegations against the present applicant in the suicide note. She, therefore, prays for rejection of the bail application.

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

diary.

6. Taking into consideration the facts and circumstances of the case, particularly the fact that the ingredients of Section 45 of the BNS do not appear to be made out, as no specific act of abetment to commit suicide is prima facie disclosed, and further considering that the applicant has no criminal antecedents, has been in custody since 18.08.2026, the charge-sheet has already been filed, and the conclusion of the trial is likely to take some time, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

7. Let applicant be released on bail on furnishing a personal bond of Rs. 50,000/- with one surety 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.
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> **(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.
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> **(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.
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> **(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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Jyoti