SOURABH PATEL
Digitally signed by SOURABH PATEL
Date: 2026.10.28 16:11:51 +0530

CGHC010411462026 2026:CGHC:45440

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 10070 of 2026

1 - Smt. Radhabai W/o Shri Mahesh Sahu, Aged About 45 Years, R/o Village Kodva, P.S. Palari, Distt. Balodabazar Bhatapara, Chhattisgarh.

2 - Smt. Bharti Yadav W/o Raju Yadav, Aged About 19 Years, R/o Village Kodva, P.S. Palari, Distt. Balodabazar, Bhatapara, Chhattisgarh.

... Applicants

versus

1 - State Of Chhattisgarh Through S.H.O. Police Station Palari, Distt. Balodabazar Bhatapara, Chhattisgarh.

... Respondent(s)

For Applicants	**:**	Mr. Anshit Singh Hora, Advocate
For State	**:**	Ms. Deepa Singh, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

28.10.2026

1. This is the **02nd** bail application filed u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 106/2025 registered at Police Station Palari, District-Balodabazar-Bhatapara (CG) for the offence punishable under Sections 103(1), 3(5) and 238(a)(b) of BNS.
2. The first bail application filed by the applicant was dismissed as withdrawn by this Court in MCRC No. 1648/2026 vide order dated 09.03.2026.

3. As per the prosecution story, on 24.11.2024, P.S. Palari received information regarding the recovery of the dead body of an unknown newborn girl child and registered Marg Intimation No. 119/2024. After preliminary investigation, the F.I.R. was registered on 23.03.2025 against unknown persons. During the course of investigation, the present applicants were arrested on 18.10.2025. It is alleged that applicant No. 02, who is the daughter of applicant No. 01, was in a relationship with one Raju Yadav and delivered the girl child. After the delivery, due to fear of society, they allegedly murdered the girl child and threw away the dead body.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is further submitted that there has been a delay in lodging the FIR and that there is no direct evidence or eyewitness to the alleged incident. He further submits that, out of total 29 prosecution witnesses, only 6 have been examined till date. The applicants have been in jail since 18.10.2025, and there is no likelihood of the trial to be concluded at the earliest. Hence, considering all these facts, the applicants may be released on bail.

5. Per contra, learned State counsel opposes the prayer for bail and submits that, in their respective memoranda, the applicants have admitted that, owing to the fear of social stigma arising from the fact that applicant No. 2 was unmarried at the time of the incident, they murdered the newborn child and threw the body into a drain. She further submits that the DNA test results have established a match with the biological parents of the deceased,

namely, applicant No. 2 and Raju Yadav. Therefore, considering the gravity and seriousness of the alleged offence, the applicants do not deserve to be enlarged on bail.

6. Heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the entire facts and circumstances of the case, particularly the fact that both the applicants are women and have been in jail since 18.10.2025 (i.e., about 1 year 10 days), that out of total 29 prosecution witnesses only 06 have been examined till date and the trial is likely to take considerable time to conclude, I find it appropriate to release the applicants on bail.

8. Accordingly, the 02nd bail application is **allowed** and the applicants are directed to be released on bail on their furnishing a personal bond in sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed in that behalf.

9. The Registry is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE

$ourabh