



CGHC010272422026



2026:CGHC:33166

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6797 of 2026**

Murlidhar Bagh S/o Jethu Bagh, Aged About 30 Years Resident Of
Village Manki, Police Station Basna District - Mahasamund (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer, Police Station -
Basana, District - Mahasamund (C.G.)

... Non-Applicant(s)

For Applicant : Mr. Kishore Narayan, Advocate.

For Non-Applicant/State : Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****31.07.2026**

- 1 This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 156/2026 registered at Police Station Basna, District Mahasamund (C.G.), for the offence punishable under Section 80(2) of the Bharatiya Nyaya Sanhita, 2023.
- 2 As per the prosecution story, in brief, on the basis of merger intimation regarding the death of deceased by hanging on 03.12.2025, Merg No.112/2025 was registered and enquiry was initiated. During the course of enquiry, it surfaced that the marriage

between the deceased and the present applicant was solemnized about three years prior to the incident and out of their wedlock, a female child was born. It is alleged that after the marriage, the applicant and his family members continuously subjected the deceased to physical and mental cruelty on account of demand of a motorcycle as dowry. The applicant allegedly abused and assaulted the deceased on several occasions and had even attempted to strangle her earlier. It is further alleged that on the night preceding the incident, i.e., on 02.12.2025, the applicant again quarreled with and assaulted the deceased over the demand of a motorcycle and threatened to leave her permanently at her parental home. Owing to such continuous harassment and cruelty, the deceased committed suicide by hanging herself on 03.12.2025. During investigation, statements of the deceased's family members as well as independent witnesses of Village Manki were recorded, who supported the allegations regarding persistent dowry demand and cruelty. On the basis of the merge enquiry, FIR was registered on 31.03.2026 for the offence under Section 80(2) of the BNS. The applicant was arrested on 01.04.2026 and after completion of investigation, charge-sheet has been filed.

- 3 Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He submits that the incident had taken place on 03.12.2025, whereas the FIR came to be registered only on 31.03.2026 after an unexplained delay of nearly four months. It is further submitted that during the merge enquiry, statements of the mother, father, brother,

sister-in-law and neighbouring witnesses of the deceased were recorded immediately after the incident, wherein none of them alleged any demand of dowry or motorcycle by the applicant. According to learned counsel, the allegation of dowry demand surfaced for the first time only in the subsequent statements recorded under Section 180 of the BNSS. He further submits that no suicide note or dying declaration has been recovered and the postmortem report does not disclose any external injury on the body of the deceased.

- 4 Learned counsel further submits that the applicant happens to be the husband of the deceased, their marriage was solemnized in the year 2022 and a female child was born out of the wedlock. It is submitted that for almost two years the matrimonial relationship between the parties remained cordial. According to him, the deceased was under mental stress because whenever she used to speak with her parental family over the phone, the applicant would tell her that he would leave her at her parental home permanently, due to which she became mentally disturbed and ultimately committed suicide by hanging herself. It is further submitted that the applicant is the sole earner of the family, he has no criminal antecedents, charge-sheet has already been filed, he is in judicial custody since 01.04.2026 and no further custodial interrogation is required. Therefore, he prays that the applicant be enlarged on regular bail.
- 5 On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the deceased committed suicide on

account of continuous physical and mental harassment meted out to her by the present applicant in connection with the unlawful demand of a motorcycle. She further submits that at the time of her death, the deceased was carrying a pregnancy of about 18 to 20 weeks, which further aggravates the gravity of the offence. It is submitted that the statements of the witnesses recorded during investigation clearly reveal that the deceased was repeatedly subjected to cruelty and harassment by the applicant and that reconciliation proceedings had also taken place earlier in an attempt to resolve the matrimonial dispute, but despite such efforts, the applicant continued to harass the deceased, ultimately driving her to commit suicide. She further submits that there is sufficient material collected during investigation to prima facie establish the involvement of the applicant in the commission of the offence. Hence, the applicant is not entitled to the benefit of bail.

- 6 I have heard learned counsel for the parties and perused the case diary.
- 7 Taking into consideration the rival submissions and upon perusal of the case diary, this Court finds that the marriage between the applicant and the deceased is undisputed. The material collected during investigation, particularly the statements of the family members of the deceased as well as independent witnesses, prima facie indicates that the deceased was continuously subjected to physical and mental cruelty by the applicant on account of demand of a motorcycle as dowry. The record further reveals that reconciliation proceedings had also taken place between the

parties, however, despite such intervention, the alleged harassment continued. It is also significant to note that at the time of the incident, the deceased was carrying a pregnancy of about 18 to 20 weeks and ultimately committed suicide by hanging herself within a few years of marriage. Although learned counsel for the applicant has pointed out the delay in registration of the FIR and the absence of allegations of dowry demand in the merged statements, these are matters to be examined during the course of trial and cannot be conclusively appreciated at the stage of consideration of bail. Considering the seriousness of the allegations, the nature of the offence, the material collected during investigation and the fact that the death of a pregnant woman has allegedly occurred as a consequence of continuous matrimonial cruelty, this Court is not inclined to extend the benefit of regular bail to the applicant.

- 8 Accordingly, the bail application of the applicant – **Murlidhar Bagh** involved in Crime No. 156/2026 registered at Police Station Basna, District Mahasamund (C.G.), for the offence punishable under Section 80(2) of the Bharatiya Nyaya Sanhita, 2023, is **rejected**.
- 9 Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
- 10 Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice