CGHC010405272026 2026:CGHC:44494

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9798 of 2026

1 - Shailendra Rawat S/o Yashwant Rawat Aged About 21 Years R/o Ward No.13 Shyam Nagar Lingiyadih, Police Station Sarkanda, District - Bilaspur, Chhattisgarh.

... Applicant

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Sarkanda, Bilaspur, Chhattisgarh.

... Non-Applicant

For Applicant	:	Mr. G.V.K. Rao, Advocate along with Mr. Sonali Kesharwani, Advocate
For Non-Applicant	:	Mr. Amit Verma, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

14/10/2026

1. This is the second bail application. The first bail application was dismissed as withdrawn vide order dated 05.10.2026 in MCRC No. 9085/2026.

2. This second bail application is filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 570/2026 registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offences punishable under Sections 296, 115 (2), 109, 191 (2), 191 (3),

351 (3), 117 (2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 25 & 27 of the Arms Act, 1959.

3. Case of the prosecution, in brief is that on 24.04.2026, the complainant lodged report in the concerned police station alleging that at about 12:00 A.M. after having his dinner, he was having a walk in the street. At that time, the co-accused Vicky Ahirwar along with other co-accused persons due to old enmity, abused him and assaulted him with hands, fists and sticks due to which, the complainant suffered injuries over his person. When the family members of the complainant and one Betu Vishwakarma intervened, they were also abused and assaulted and the wife of the complainant and Betu Vishwakarma also suffered injuries. On the basis of the report, the FIR was lodged and during the course of investigation, the applicant was arrested on 25.04.2026.

4. Learned counsel for the applicant submits that applicant is innocent, he has been falsely implicated in the crime. He has not committed any offence as alleged. He submits that according to the allegations, 11 persons have assaulted upon the complainant/victim and his family members. There is no specific allegation of committing assault by means of any arm against the applicant. The injuries sustained by the complainant/victim is not grievous in nature. Applicant is a boy of tender age about 21 years. He was arrested on 25.04.2026, investigation is complete, charge-sheet has been filed, no custodial interrogation is required. Hence, the applicant may be enlarged on bail.

5. On the other hand, learned State counsel opposes the submission made by counsel for the applicant and would submit that when the complainant had objected from urinating to one of the co-accused person near the house of the complainant, he was assaulted by the applicant and the other co-accused person and when the family members came for his rescue, they were also assaulted. One of the injured suffered injury

occipital region. However, he submits that though he was sent to the hospital for surgery, but got discharged on the same day. He also pointed out that according to the application, the applicant is having 01 criminal antecedent.

6. I have heard learned counsel for the respective parties and perused the documents filed along with the bail application.

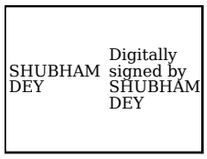
7. Taking into consideration, facts and circumstances of the case, nature of allegations, submission of learned counsel for the respective parties, tender age of the applicant, period of pre-trial detention, investigation is complete, charge-sheet has been filed, documents enclosed along with the bail application, trial is likely to take sometime, without commenting anything on merits of the case, I am inclined to allow this application for grant of bail.

8. Accordingly, the bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed and it is directed that applicant shall be released on bail upon his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of Trial Court concerned on the conditions that:

> *(a) 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.*
>
> *(b) 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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> *(c) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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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> *(d) 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.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith. Certified copy as per rules.



Dey

Sd/-
(Parth Prateem Sahu)
Judge