



2026:CGHC:9527



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 660 of 2026

Nitesh Sahu S/o Ravishankar Sahu Aged About 25 Years R/o Ward No. 05,
Firangipara, Kota, P.S. Kota, District Bilaspur Chhattisgarh

... **Applicant**

versus

State of Chhattisgarh Through Station House Officer, Police Station Kota,
District Bilaspur (C.G.)

... **Non-applicant**

For Applicant	: Mr. Ishwar Jaiswal, Advocate.
Non-applicant/State	: Ms. Vaishali Mahilong, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

24.02.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 1068/2025, registered at Police Station Kota, District Bilaspur (C.G.) for the offence punishable under Sections 296, 351(2), 74 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. As per the prosecution story, in brief, the complainant lodged a report at the concerned police station stating that on the date of the incident, when the victim was returning from C.V. Raman College, Kota to her house, the co-accused Komal Sahu came there and, along with others, allegedly



attempted to forcibly take her on his motorcycle by catching hold of her hand. Thereafter, the applicant allegedly fled from the spot. On the basis of the said report, the concerned police station registered an offence punishable under Sections 296, 351(2), 74, and 3(5) of the B.N.S. against the applicant and other co-accused persons.

3. Learned counsel for the applicant submits that the present applicant is an innocent person who has been falsely implicated in this case. He submits that prior to lodging of the FIR, another person, namely Kunal Sahu, had submitted a complaint to the concerned Police Station, Kota, regarding the alleged incident dated 19.11.2025, however, the concerned police authorities did not take any action on the said complaint. Thereafter, the victim again lodged a false complaint before the concerned police station regarding the same incident dated 19.11.2025 against the applicant, without any sufficient reason, which is contrary to law. He also submits that there was only a simple dispute between the parties on account of previous enmity, however, the applicant has not committed any of the aforesaid offences as alleged by the prosecution and has been falsely implicated in connection with this crime. He submits that the present has 03 criminal antecedents under the IPC which has already been explained in the present bail application. He submits that the applicant has been in jail since 19.11.2025, conclusion of the trial may take some time, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed before the competent Court.
5. I have heard learned counsel for the parties and perused the case diary.



6. Considering the facts and circumstances of the case, the nature and gravity of the offence, and the allegations that, while the victim was returning from C.V. Raman College, Kota to her house, the co-accused Komal Sahu, along with others, allegedly attempted to forcibly take her on his motorcycle by catching hold of her hand, further considering that, as per the order-sheet dated 19.01.2026, the bail application was earlier adjourned to the last week of February 2026 in view of the period of detention, and also that the charge sheet has already been filed, the applicant has been in custody since 19.11.2025, and the conclusion of the trial is likely to take time, I am of the opinion that the applicant is entitled to be released on bail.
7. Let the applicant – **Nitesh Sahu**, involved in Crime No. 1068/2025, registered at Police Station Kota, District Bilaspur (C.G.) for the offence punishable under Sections 296, 351(2), 74 and 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail on his furnishing a **personal bond** with **two sureties** 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.
 - (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.

(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.

(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.

8. 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

Abhishek