



2026:CGHC:3604



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 767 of 2026

1. Ramlal S/o Babulal Gayakvad, Aged About 45 Years R/o Village Sodh, Post Office Sodh, tahsil And Police Station Berla, District Bemetara C.G.
2. Dilesh S/o Ramlal Gayakvad Aged About 25 Years R/o Village Sodh, Post Office Sodh, tahsil And Police Station Berla, District Bemetara C.G.
3. Amardas @ Sheru S/o Ramdas Gayakvad Aged About 30 Years R/o Village Sodh, Post Office Sodh, tahsil And Police Station Berla, District Bemetara C.G.
4. Birendra S/o Ramdas Gayakvad Aged About 25 Years R/o Village Sodh, Post Office Sodh, tahsil And Police Station Berla, District Bemetara C.G.

... Applicants**versus**

The State of Chhattisgarh Through Police Station Berla, District Bemetara C.G.

... Non-Applicant

For Applicants	: Mr. Rajkumar Pali, Advocate.
For Non-Applicant/State	: Ms. Anusha Naik, Deputy Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. The applicants have preferred this First Bail Application 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. 320/2025, registered at Police Station – Berla, District - Bemetara (C.G.) for the offence punishable under Sections 296, 351(3), 115(2), 109(1) and 3(5)



of Bharatiya Nyaya Sanhita, 2023.

2. As per the prosecution story, the complainant, Narendra Patel, lodged a report alleging that on 23.10.2025 a Matar function was being held in the village, which was attended by his sons/victims, Kuldip Patel and Sandip Patel, along with their family. At about 7:30 p.m., the complainant was informed by his family members that a quarrel had taken place with his sons near Mangal Bhavan. When the complainant reached the spot, he found his son Kuldip coming towards his house in an injured condition and proceeding to the hospital. He further came to know that his other son, Sandip, had already been admitted to the hospital due to the incident. Upon inquiry, the sons narrated that the applicants had assaulted them using hands and fists, abused them with filthy language, and further assaulted them with a wooden stick and an iron rod, thereby causing injuries. On the basis of the said report, a crime was registered against the applicants for offences punishable under Sections 296, 351(3), and 115(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita. Considering the nature of the injuries, the offence under Section 109 of the BNS was subsequently added, and the applicants were arrested. Hence, the present bail application.
3. Learned counsel for the applicants argued that the applicants are innocent and have been falsely implicated in the present case. He further submitted that there is a cross-report pertaining to the same incident and that both sides sustained injuries. It was contended that although the injured, Kuldeep, is alleged to have suffered injuries at the hands of the applicants by a blunt object, he raised no objection to the grant of bail to the applicants before the Trial Court. It was further submitted that in the FIR lodged against the complainant party, the accused therein have



already been granted bail. Learned counsel also submitted that the charge-sheet has been filed, the applicants have been in custody since 02.12.2025, and the trial is likely to take a considerable time to conclude. On these grounds, he prayed for grant of bail to the applicants.

4. On the other hand, the learned State counsel opposed the bail application and submitted that the charge-sheet has been filed in the present case.
5. I have heard learned counsel for the parties and perused the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there is a cross-report pertaining to the same incident and that both sides sustained injuries, although the injured, Kuldeep, is alleged to have suffered injuries at the hands of the applicants by a blunt object, he raised no objection to the grant of bail to the applicants before the Trial Court, further the FIR lodged against the complainant party, the accused therein have already been granted bail, the charge-sheet has been filed, the applicants have been in custody since 02.12.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Accordingly, the bail application is **allowed**. Let applicant Nos. 1, 2, 3 and 4 - **Ramlal, Dilesh, Amardas @ Sheru** and **Birendra**, involved in Crime No. 320/2025, registered at Police Station – Berla, District - Bemetara (C.G.) for the offence punishable under Sections 296, 351(3), 115(2), 109(1) and 3(5) of Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing a personal bond with **two sureties each** in the like sum to the satisfaction of the court concerned with the following conditions:-



(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their 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 them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them 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

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