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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 775 of 2026**

1 - Lokesh Kumar Sahu S/o Dwarika Sahu Aged About 37 Years R/o Village Kokadi (Nari), Thana Kurud, Distt. Dhamtari, Chhattisgarh.

2 - Devnarayan Sarthi @ Jaggu S/o Ramkumar Sarthi Aged About 34 Years R/o Village Kokadi (Nari), Thana, Kurud, Distt. Dhamtari, Chhattisgarh.

... Applicants**versus**

1 - The State Of Chhattisgarh Through Sho, Thana Dugli, Tahsil Nagri, Distt. Dhamtari, Chhattisgarh.

... Respondent**(Cause title is taken from Case Information System)**

For Applicants : Mr. Samir Singh, Advocate

For Respondent/State : Mr. Shaleen Singh Baghel, Deputy G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.01.2026**

- The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.18/2025, registered at Police Station – Dugli, District – Dhamtari (C.G.) for the offence punishable under Sections 331(3), 305, 3(5), 317(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- The case of the prosecution, is that on 27.04.2025 the complainant



Manshukh Ram has lodge the report that, between 24.04.2025 to 25.04.2025 when he gone to out station, that at time some persons has inter into his home and theft cash amounting Rs.81,000/- and ornaments, thereafter on the basis of the memorandum police has been arrested the applicants for the alleged commission of offence.

3. It is argued by the learned counsel for the applicants that the applicants are innocent and have falsely been implicated in this case and no any recovery has been made from the present applicants to connect the said crime. He further submits that so far as trial is concerned there are total twelve prosecution witnesses, out of which only four witnesses have been examined and there are three more criminal antecedents registered against the present applicant of similar nature, and same are mentioned at paragraph 4(a) in the bail application. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 24.04.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail to the applicants.
4. On the other hand, the learned State counsel opposes the bail application and submits that there are three criminal antecedents registered against the present applicants and the charge-sheet has been filed in this case.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicants and the fact that there are total twelve prosecution witnesses, out of which only four witnesses have been examined, charge-sheet has



been filed against the applicant, the applicant is in jail since 24.04.2025, and conclusion of the trial is likely to take some time, looking to the detention period of the applicants I am inclined to allow this application.

7. Let applicants, **Lokesh Kumar Sahu** and **Devnarayan Sarthi** involved in Crime No.18/2025, registered at Police Station – Dugli, District – Dhamtari (C.G.) for the offence punishable under Sections 331(3), 305, 3(5), 317(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS), 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



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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**

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