



2026:CGHC:4137

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 829 of 2026**

- Tilak Nishad S/o Derha Nishad Aged About 19 Years R/o Village Semariyaghat P.S. Bhatapara (Gramin) District Balodabazar-Bhatapara (C.G.)

... Applicant**versus**

- State of Chhattisgarh Through Station House Officer, Police Station Bhatapara (Gramin), District Balodabazar-Bhatapara (C.G.)

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

For Applicant : Mr. Vijay Shankar Mishra, Advocate

For Respondent/State : Ms. Anusha Naik, Dy.G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.01.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as she has been arrested in connection with Crime No. 711/2025, registered at Police Station – Bhatapara (Gramin), for the offence punishable under Sections 109, 3(5), 190, 191(2)(3) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and 25, 27 of Arms Act.
2. The case of the prosecution, is that the complainant namely Shubham Kumar Verma went to police station Bhatapara, Gramin and made a written complaint that on dated 06.11.2025 he had done

Matar Madhai Mela at village semraiyaaghat there karan verma of village called him and told that manish nisahd of semraiyaaghat and his companions have stabbed him and told that I am at near the bridge come and take me to the hospital on saying this he immediately reached there who told that Manish Nishad @ Dhannu and his companions resident of village Semariyaaghat said that he comes to the fair of my village and pushes me near the mango tree and stabs me with the intention of killing me stabbed in my stomach with knife due to which I fell down on the ground then those peoples ran away from there on the report the accused Manish Nishad @ Dhannu A crime was registered against Ishwar Nishad and against other and taken into investigation During investigation memorandum statement was recorded and accused persons were taken into custody, Hence the present bail application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and applicant has neither committed nor participated in any such act. It is further submitted that the co-accused Manish Nishad alias Dhannu is accused of assaulting the injured with a knife and causing injuries to him and not the present applicant. He further submits that there is no criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 09.11.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there is no criminal antecedents registered against the present applicant, 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 applicant and the fact that co-accused Manish Nishad @ Dhannu is accused of assaulting the injured with a knife and causing injuries to him and not the present applicant and there is no any criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 09.11.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Tilak Nishad** involved in Crime No.711/2025, registered at Police Station – Bhatapara (Gramin), for the offence punishable under Sections 109, 3(5), 190, 191(2)(3) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and 25, 27 of Arms Act, 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

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