



2026:CGHC:9858



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1051 of 2026**

Shyamu Yadav S/o Milan Yadav Aged About 38 Years (Wrongly Mentioned Syaamu Yadav), R/o Village - Dhaur, Police Station - Utai, District - Durg (C.G.)

--- Applicant

versus

State Of Chhattisgarh Through - Station House Officer, Police Station - Balod, District – Balod (C.G.)

--- Non-applicant

Along with**MCRC No. 1907 of 2026**

Suraj Kumar Rangari S/o Dilip Kumar Aged About 20 Years R/o Ward No. 13, Dallirajhara, Distt - Balod, Chhattisgarh.

---Applicant

Versus

State Of Chhattisgarh Through Police Station Balod, District – Balod, Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Sudhanshu Kumar Singh, Advocate.

For Non-applicant/State : Ms. Anusha Naik, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board**25.02.2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicants who have been arrested in connection with Crime No.527/2025 registered at Police Station Balod, District Balod (C.G.) for the offence punishable under Sections 326(G), 3(5), 111, 61(2) and 238 of the BNS.



2. Case of the prosecution, in brief, is that complainant Devendra Sahu has lodged report before police station that he is the president of Hamraj party and he owns a Brezza Car bearing registration no. CG-24-W-7166 for which there is parking beside his home where he parked the vehicle and as usual on dated 01/12/2025 at about 06:30 pm he parked his vehicle in the garage and entered into his home then his wife has told him that 2 unknown person have visit his home and asking about the complainant and at about 06:45pm when the complainant was at home at that time two unknown person came to his home and 1 unknown person stood in motorcycle far from 50 feet and called him and asked whether he is the president of Hamraj party and a journalist and when he answered in yes then they stated that there is illegal liquor is being selling in their area and they want to publish it in the news paper and also want to raise voice through the organization and then complainant has advised them to brought the complain in written and thereafter they left and at about 09:00 pm when the complainant was watching Television with his family, he heard the unusual sound from the outside of his home and when his wife came out from home, she saw that there is fire in his garage and his car was burning and thereafter complainant has called his neighbor and upon the complain of the complainant the police has lodged the case. Hence, this application.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in this case. He would submit that the main accused person namely Ashwani Kumar Dadsena is said to have been enlarged on bail by this court in MCRC



No. 811 of 2026 on 22.01.2026, and on the same ground another co-accused namely Abhishek Choure has been granted bail by this Court vide order dated 02.02.2026 passed in MCRC No.1069/2026. He would submit that the applicants are in jail since 07.12.2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicants.

4. On the other hand, learned State Counsel opposes the bail application but she does not dispute the fact that main accused person namely Ashwani Kumar Dadsena has been enlarged on bail by this court in MCRC No. 811 of 2026 on 22/01/2026. She would submit that in the order granting bail to the main accused person namely Ashwani Kumar Dadsena in the submission of the State it has been inadvertently mentioned that charge sheet has been filed but charge sheet has not been filed. She would submit that the applicants have one criminal antecedent, and he is not entitled for grant of bail.
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, submission of learned counsel for the parties, further the fact that main accused person namely Ashwani Kumar Dadsena has been enlarged on bail by this court in MCRC No. 811 of 2026 on 22.01.2026, and on the same ground another co-accused namely Abhishek Choure has been granted bail by this Court vide order dated 02.02.2026 passed in MCRC No.1069/2026, and in the said order granting bail to the main accused Ashwani Kumar Dadsena, in the submission of the State it



has been inadvertently mentioned that charge sheet has been filed but charge sheet has not been filed, period of detention of the applicants since 07.12.2025, applicants have one criminal antecedent in which they are on bail and also considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Let applicants, **Shyamu Yadav** and **Suraj Kumar Rangari**, involved in Crime No.527/2025 registered at Police Station Balod, District Balod (C.G.) for the offence punishable under Sections 326(G), 3(5), 111, 61(2) and 238 of the 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 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**

Rajshekhar