



2026:CGHC:13776

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1003 of 2026**

Manish Das S/o Kaushal Das Aged About 19 Years R/o Gram Kachora,
Police Station Urga, Post Kothari, District Korba, Chhattisgarh

... Applicant**versus**

State Of Chhattisgarh Through Police Station Urga, District Korba,
Chhattisgarh

...Non-applicant

For Applicant : Mr. Anshul Tiwari, Advocate

For Non-Applicant/State : Ms. Ankita Shukla, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.03.2026**

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 09/2026 registered at Police Station - Urga District Korba, (C.G.), for the offences punishable under Sections 351(3), 115(2), 109(1), 190, 191(2), 191(3), 3(5) of the BNS 2023 and Sections 25 and 27 of the Arms Act.
2. The prosecution story, in brief, is that the applicant along with the

other co-accused has abused and assaulted the complainant and his nephew by throwing stones and bricks. It has further been alleged that the applicant has tried to kill the complainant's nephew by assaulting him with the knife on below of his left side shoulder. That, upon the said allegation a FIR has been lodged against the present applicant and other co-accused bearing FIR no. 09/2026 registered on dated 03.01.2026 at Police Station Uрга, District Korba, Chhattisgarh for alleged offence under sections Section 296, 351(3), 115(2), 109(1), 190, 191(2), 191(3), 3(5) of Bharatiya Nyaya Sanhita, 2023 and section 25, 27 of Arms Act.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this offence. It is further submitted that in the aforesaid case and has no role whatsoever in the alleged offence. He is in judicial custody since 06.01.2026, and his continued incarceration, particularly in the company of hardened criminals, is likely to adversely affect his conduct and future. The prosecution case is based on speculative and unsubstantiated allegations, with no credible evidence linking the applicant to the alleged crime, and no seizure has been made from him in connection with the present offence. It is further submitted that on the date of the alleged incident, the applicant was not present at the place of occurrence, as he had visited the Maa Madwarani Temple for blessings. The applicant has been implicated merely on the basis of association with a co-accused, who happens to be his friend, without any substantive or linking evidence. There is no material on record to suggest any motive, animosity, or reason for the applicant to commit the alleged act, and the allegations are vague and general in

nature, unsupported by credible evidence, thereby adversely affecting his reputation. The applicant is a young boy aged about 19 years with no criminal antecedents, and his continued detention at this formative stage would cause irreparable harm to his future, education, and career. Being capable of reformation and rehabilitation, he deserves to be enlarged on bail, as unnecessary detention would result in undue hardship.

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 in the present case and that the applicant has one previous criminal antecedent; therefore, he is not entitled to the grant of regular bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and further taking into account that the charge-sheet has already been filed before the competent Court and that the applicant has remained in judicial custody since 05.01.2026, and as the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant, as the case of the applicant is distinguishable from that of the co-accused.
7. Let the Applicant – **Manish Das**, involved in Crime No. 09/2026 registered at Police Station - Uрга, District Korba, (C.G.), for the offences punishable under Sections 351(3), 115(2), 109(1), 190, 191(2), 191(3), 3(5) of the BNS 2023 and Sections 25 and 27 of the

Arms Act, be released on bail on his furnishing **personal bond** with **two local 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