



2026:CGHC:12537



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1173 of 2026

1 - Rajendra Yadav S/o Shobhit Yadav Aged About 42 Years R/o Village Khorsi, Police Station - Kharora, District - Raipur Chhattisgarh

2 - Yogesh Alias Raja S/o Rajendra Kumar Yadav Aged About 20 Years R/o Village Khorsi, Police Station - Kharora, District - Raipur Chhattisgarh

...Applicants

versus

State Of Chhattisgarh Through The Police Station Kharora, District Raipur Chhattisgarh

... Non-applicant

For Applicants	: Mr. Virendra Verma, Advocate.
For Non-applicant/State	: Ms. Ankita Shukla, Panel lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

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. 743 of 2025 registered at Police Station : Kharora, District Raipur (C.G.) for



the offence punishable under Sections 115(2), 281, 296, 351(2), 3(5) & 109 of the BNS.

2. The prosecution story in brief is that on 23.10.2025, in the evening, after the Govardhan Puja in the village, he was going from house to house to greet. He had reached near Sanjay Verma's house in the village market square. At the same time, Rajendra Yadav, regarding old matters, abused the applicant's mother and sister with filthy language, threatened to kill him, and hit the applicant's left arm with a stick in his hand, injuring him. Rajendra Yadav's son Raja Yadav was also present there who beat the applicant with a stick. Bhaktu Yadav, the applicant's father who came to intervene, was also beaten with a stick by these two men, threatening to kill him. On the applicant's report, a case was registered against the accused in Kharora under crime number 743/2025 under sections 115(2), 281, 296, 351(2), 3(5), 109 of the BNS.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that an application for registration of an FIR against Dilip Yadav and Bhaktu Yadav was submitted by members of the Yadav community at Police Station Kharora on 23.10.2025; however, no FIR was registered against them by the said police station. Thereafter, the members of the community submitted a complaint before the Superintendent of Police, Raipur on 28.10.2025 regarding the same, and a copy of the said application for registration of report is being filed herewith as Annexure A/3. It is further submitted that applicant No.1, Rajendra Yadav, is posted as a Village Assistant in Gram Panchayat



Bhatia, Tehsil Arang, District Raipur, and the applicants are permanent residents of Village Khorsi, Police Station Kharora, District Raipur. Applicant No.2, Yogesh @ Raja, is a young boy aged about 20 years with a bright future ahead of him, and both the applicants are in judicial custody since 02.11.2025, therefore, he prays for grant of regular bail to the present applicant.

4. On the other hand, the learned State Counsel opposes the bail application of the present applicants and submits that the charge-sheet has already been filed before the competent Court. He further submits that the applicants assaulted the injured person, resulting in grievous injuries. Therefore, the present applicants are not entitled to be granted regular bail in this case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, and further the fact that a dispute regarding land between the parties led to a quarrel during which the complainant sustained head injuries; moreover, according to the NCT report of the injured, no internal injury was found, and the said fact could not be disputed by the learned State Counsel. Also considering the fact that the charge-sheet has already been filed before the competent Court and the applicants have been in jail since 02.11.2025, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Let applicant, **Rajendra Yadav & Yogesh Alias Raja** involved in Crime No. 743 of 2025 registered at Police Station : Kharora, District



Raipur (C.G.) for the offence punishable under Sections 115(2), 281, 296, 351(2), 3(5) & 109 of the BNS., be released on bail on his furnishing **a personal bond with two local sureties each** in the like amount 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 misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail 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



2026:CGHC:12537

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 forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

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