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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1223 of 2026

Rajkamal Yadav S/o Late Raju Yadav Aged About 29 Years R/o Housing Board Colony, Boriyakala, Mujgahan, District : Raipur, Chhattisgarh

... **Applicant**

versus

State Of Chhattisgarh Through- Station House Officer, Police Station Mujgahan, Raipur, District : Raipur, Chhattisgarh

...**Non-applicant**

For Applicant : Mr. Rekhraj Baghel, Advocate.

For Non-applicant/State : Ms. Smriti Shrivastava, 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. 05/2026 registered at Police Station - Mujgahan, Raipur, District : Raipur (C.G.), for the offences punishable under Sections 25 and 27 of the Arms Act.
2. Case of the prosecution, in brief, is that the complainant has giving



information to the concerned police station that the appellant was moving knife at open place and on such information, the police has seized knife and has registered the case under section 25, 27 of the Arms Act against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the ingredients of the offences punishable under Sections 25 and 27 of the Arms Act are not made out against the present applicant. The allegations levelled by the prosecution are false and baseless, and the applicant has neither possessed nor used any knife nor committed any such offence as alleged. The applicant has not acted in the manner alleged by the prosecution, and looking to the material available on record, no *prima facie* case is made out against him. The applicant is in judicial custody and prolonged incarceration would adversely affect his future. The applicant further reserves his right to raise additional grounds at the time of hearing of the present bail application therefore, he prays for grant of regular bail to the applicant.
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 four 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 submitted before the competent Court and the applicant has remained in jail since 03.01.2026, and the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.

7. Let the Applicant – **Rajkamal Yadav**, involved in Crime No. 05/2026 registered at Police Station - Mujgahan, Raipur, District : Raipur (C.G.), for the offences punishable under 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.



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(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