



2026:CGHC:12761



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1526 of 2026

Pradeep Kahar S/o Santram Kahar Aged About 24 Years R/o Chakki Mohalla
Lakhanwada Police Station Amarwada District- Chhindwada, Madhya Pradesh

... Applicant

versus

State of Chhattisgarh Through Office -In Charge, Police Station Simga, District-
Balodabazar-Bhatapara (C.G.)

... Non-applicant

For Applicant : Mr. Aman Tamboli, Advocate.

For Non-applicant/State : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

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 he has been arrested in connection with Crime No. 596/2025, registered at Police Station – Simga, District- Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 109, 61(2)(A) and 3(5) of Bharatiya Nyaya Sanhita, 2023.
2. As per the prosecution story, on 25.10.2025, the Head Constable received a medico-legal intimation from the hospital informing the police that Umashankar Nishad had been assaulted by unknown persons with a sharp-edged weapon, allegedly with the intention to commit his murder.



During the course of investigation, the brother of the injured, namely Sunil Kumar Kumbhkar, stated that he had received a call from the wife of the injured, i.e., the present applicant, informing him that one Anuj Sahu, who was well acquainted with her, was present at the New Bus Stand and required Rs. 200/-. Thereupon, the said information was conveyed to the injured, who proceeded to the New Bus Stand, where he was assaulted by the said Anuj Sahu with a sharp-edged weapon. It is further alleged that, during investigation, the memorandum statement of the co-accused was recorded, wherein she stated that her marriage with the injured had been solemnized about nine months earlier as per caste customs, and that she had been in contact with Anuj Sahu for about two years and had met him on several occasions. She further stated that, since her husband allegedly restricted her movements, she, along with Anuj Sahu, conspired to eliminate him. On the basis of the said allegations, it is further alleged that on 25.10.2025, the applicant sent her husband to meet Anuj Sahu on the pretext of arranging Rs. 200/-, pursuant to which the injured was assaulted by the said Anuj Sahu. Although the primary allegation is against the said Anuj Sahu, the present applicant has been arrested by implicating her in the said offence. Hence, this application for grant of bail.

3. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that, as per the X-ray report, the allegation against the applicant is that he assaulted the injured with a knife, resulting in a fracture of the left hand metacarpal bone. Learned counsel further submits that the charge-sheet has already been filed, and the applicant has been in judicial custody since 28.10.2025. Considering that the trial is likely to take a considerable period for its conclusion, it is prayed that this Court may kindly be pleased to grant bail to the applicant.



4. On the other hand, learned State counsel opposed the bail application and submitted that the charge-sheet has already been filed in the present case. She further submitted that the applicant assaulted the injured with a knife, resulting in a fracture of the left hand metacarpal bone. It is also submitted that, considering the nature and gravity of the offence, the applicant is not entitled to be released on bail, despite having no previous criminal antecedents.
5. I have heard learned counsel for the parties and perused the documents available on record.
6. Considering the submissions made by learned counsel for the parties, and the material available on record, particularly taking into account the nature of allegations, the fact that as per X-Ray report, the injury sustained by the injured is a fracture of the left hand metacarpal bone, the applicant has no previous criminal antecedents, the charge-sheet having already been filed, and the applicant being in judicial custody since 28.10.2025, and further considering that the trial is likely to take considerable time for its conclusion, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Pradeep Kahar**, involved in Crime No. 596/2025, registered at Police Station - Simga, District- Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 109, 61(2)(A) and 3(5) of Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing a 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**