



2026:CGHC:10071



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1493 of 2026

Monu @ Digeshwar Sinh Rajput S/o Sabhajeet Sinh Aged About 27 Years
R/o Mahalpara Saraipali, P.S. Saraipali, District Mahasamund, Chhattisgarh.

... **Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Saraipali, District Mahasamund, Chhattisgarh.

... **Respondent**

For Applicant	: Mr. Kishore Narayan, Advocate.
For Non-applicant/State	: Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

26.02.2026

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.309/2025 registered at Police Station – Saraipali, District- Mahasamund (C.G.) for the offences punishable under Sections 115(2), 351(2), 309(6), & 3(5) of the BNS 2023.



- 2.** The prosecution story, in brief, is that on 03.11.2025 at about 11:00 p.m., the complainant lodged a written report at Police Station Saraipali, District Mahasamund, alleging that he, along with his driver Hemsagar Pradhan, was travelling in a vehicle bearing registration No. CG-04-HA-2047 and had stopped near Sandhya Dhaba at village Harratar to purchase gutka and drinking water. At that time, the accused persons, namely Hitesh Padhi, Bhupendra Bhoi @ Sonu, Keshar Mirja and Monu Rajput, and Durgesh Chouhan, who were already present there, allegedly intercepted them. It is alleged that when driver Hemsagar Pradhan returned to the vehicle, Keshar Mirja slapped him and Bhupendra Bhoi pushed him, after which Hitesh Padhi forcibly took control of the vehicle and made Hemsagar sit at the back. The accused then drove the vehicle towards Ghanteshwari Temple and further in the direction of Chhuipali Toll Plaza, during which all of them allegedly assaulted Hemsagar Pradhan with hands and fists, threatened him, and demanded money. It is further alleged that they forcibly took his mobile phone (Samsung Galaxy A14 with SIM numbers 9340299056 and 9770799990) and cash amounting to ₹8,500/- from his pocket and thereafter fled from the spot. On the basis of this complaint, the police registered a case and initiated investigation for offences punishable under Sections 115(2), 351(2), 309(6), and 3(5) of the Bharatiya Nyaya Sanhita, 2023 against the accused persons.
- 3.** Learned counsel for the applicant submits that the applicant innocent and has been falsely implicated in the present case and has not committed the alleged offence, and no specific overt act or distinct role has been attributed to him in the prosecution story that the charge-sheet has already been filed and the applicant has been in judicial



custody since 07.12.2025, therefore, no further custodial interrogation is required; that a similarly placed co-accused has already been granted bail by this Hon'ble Court in M.Cr.C. No. 9786/2025 vide order dated 28.01.2026, and a copy of the said order has been filed as Annexure A/3, and on the ground of parity alone the present applicant is entitled to be enlarged on bail; that the applicant is a permanent resident of the place mentioned above and possesses movable and immovable property there, and there is no likelihood of his absconding or tampering with the prosecution witnesses; and that the applicant is ready and willing to furnish adequate surety and shall abide by all the terms and conditions that may be imposed by this Hon'ble Court while granting bail, and therefore prays that he be released on bail.

4. On the other hand, learned counsel for the State, opposes the bail application of the applicant.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, and the fact that a similarly placed co-accused has already been granted bail by this Hon'ble Court in M.Cr.C. No. 9786/2025 vide order dated 28.01.2026, and further considering that the charge-sheet has already been filed before the competent Court, that the applicant has been in judicial custody since 07.12.2025, and that the conclusion of the trial is likely to take considerable time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let applicant, **Monu @ Digeshwar Sinh Rajput**, involved in Crime



No.309/2025 registered at Police Station – Saraipali, District-
Mahasamund (C.G.) for the offences punishable under Sections
115(2), 351(2), 309(6), & 3(5) of the BNS 2023, be released on bail on
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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE