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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1490 of 2026**

Shri Ajmat Khan S/o Shri Latif Khan, Aged About 20 Years R/o Parradand, P.S. And Tahsil Ambikapur, District Surguja (C.G.)
Permanent Address Manoharpara, P.S. Shankargarh, District Balrampur Ramanujganj (C.G.)

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, Ambikapur, District Surguja C.G.

... Non-Applicant

For Applicant	: Mr. Parth Kumar Jha, Advocate
For Non-Applicant/State	: Ms. Palak Dwivedi, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****17.03.2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 892/2025 registered at Police Station-Ambikapur, District Surguja, (C.G.) for the offence punishable under Sections 109, 115(2), 191(2), 191(3) 296, and 351(3) and of the Bharatiya Nyaya Sanhita, 2023.



2. The prosecution story, in brief, is that the complainant, Avinash Rai, lodged a report stating that on 24.11.2025 at about 9:50 PM, while he was present along with his friends Sahil Sahu and Adarsh Sahu, the present applicant along with other co-accused persons arrived at the spot, abused them, and assaulted them with hands, feet and a key, and one of the co-accused, namely Golu Pathan, allegedly attacked Adarsh Sahu with a knife. It is further stated that the injured Adarsh was taken to the hospital by the complainant and Sahil Sahu for treatment. On the basis of the said complaint, the present applicant was implicated and subsequently arrested on 15.01.2026. Hence, this bail application.
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 applicant is a student of M.Sc. (Botany) first semester and his examinations are currently ongoing, and his continued detention would seriously affect his academic career, a copy of the admit card has been filed as **Annexure A/3**. It is further submitted that the injured, Adarsh Sahu, has filed an affidavit on oath stating that the present applicant was not present at the place of occurrence and has also moved a no objection application for grant of bail before the learned trial Court, copies of which are filed as **Annexure A/4** (Colly). He further submits that the present applicant has no criminal antecedents, he is in jail since 15.01.2026, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.



4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has not been submitted before the competent Court. She further submits that the applicant, along with other co-accused persons, was actively involved in the incident and had assaulted the complainant and his companions, and one of the co-accused inflicted a knife injury on the victim, which clearly reflects the violent nature of the offence. It is further submitted that the allegations are serious in nature and are supported by the statements of the complainant and witnesses, and considering the gravity of the offence and the role attributed to the applicant, the applicant is not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of allegations, and the material available on record, this Court observes that though the charge-sheet has not yet been submitted, but the injured himself has filed an affidavit stating that the present applicant was not present at the place of occurrence and has also raised no objection to the grant of bail. Further, the applicant is a student of M.Sc. (Botany) and his examinations are ongoing, and the applicant has no criminal antecedents and he is languishing in jail since 15.01.2026, and the conclusion of the trial may take some more time, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.



7. Accordingly, the bail application of the applicant is **allowed**. Let the applicant - **Shri Ajmat Khan**, involved in Crime No. 892/2025 registered at Police Station- Ambikapur, District Surguja, (C.G.) for the offence punishable under Sections 109, 115(2), 191(2), 191(3) 296, and 351(3) and of the Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing **a personal bond** with **two 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



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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**

Rahul Dewangan