



2026:CGHC:13021



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1660 of 2026

Sunil Nirmalkar S/o Vijay Nirmalkar Aged About 31 Years R/o Infront Of Ruchika Vihar, Sharda Mandir Road, Police Station Sirgitti, District Bilaspur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through - The Station House Office, Police Of Police Station Sirgitti, District Bilaspur (C.G.)

...Non-applicant

For Applicant : Mr. Ajay Kumar Chandra, Advocate

For Non-Applicant/State : Mr. Shailendra Sharma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

18.03.2026

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. 574/2025 registered at Police Station - Sirgitti, District - Bilaspur (C.G.), for the offences punishable under Sections 296, 351, 118, 119, 126 of the BNS.
2. The prosecution story, in brief, is that he complainant Anil @ Sonu



Mandavi made complaint before the Police Station Sirgitti stating therein that on 20-10-2025, he was going to Chuchuhiya Fatak with his uncle Akash and on the way, the present applicant stopped the vehicle of the complainant and demanded money for liquor and when the complainant denied to give money, the applicant abuses the complainant in filthy languages and also assaulted the complainant from wooden road and belt, therefore he complainant ran away and secure his life.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has neither committed nor participated in any act constituting the alleged offences; it is further submitted that the evidence collected by the prosecution does not *prima facie* make out a sufficient case against the applicant; it is also contended that the alleged incident took place on 20.10.2025, whereas the FIR was registered on 22.10.2025 at about 23:00 hours, which creates doubt regarding the veracity of the allegations; learned counsel further submits that the applicant is in judicial custody since 24.10.2025 and the trial is likely to take considerable time for its conclusion; it is also submitted that the applicant is a permanent resident of the address mentioned in the cause title and there is no likelihood of his absconding, and he undertakes to furnish adequate surety and abide by all the terms and conditions as may be imposed by this Hon'ble Court, while reserving his right to raise additional grounds at the time of hearing.
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. He further submits that applicant has four criminal criminal antecedents, therefore, he is not entitled for 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 filed before the competent Court and and that the applicant has remained in judicial custody since 24.10.2025, and as 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 – **Sunil Nirmalkar**, involved in Crime No. 574/2025 registered at Police Station - Sirgitti, District - Bilaspur (C.G.), for the offences punishable under Sections 296, 351, 118, 119, 126 of the BNS, 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



2026:CGHC:13021

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