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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1686 of 2026

Durjan @ Surjan Ram S/o Late Budhu Aged About 28 Years Caste Aghariya,
R/o Village Karampur, P.S. Vishrampur, Distt. Surajpur, Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Station House Officer, P.S. Vishrampur, Distt.
Surajpur, Chhattisgarh.

... Non-applicant

For Applicant : Mr. Kulesh Kumar Sahu, Advocate.

For Non-applicant/State : Ms. Monika Thakur, 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. 181/2025 registered at Police Station : Vishrampur, District – Surajpur (C.G.) for the offence punishable under Sections 296, 117(2), 109, 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. As per the prosecution story, a written complaint was lodged by the complainant, namely Munnalal, against Pavan Uraon and another, alleging that on 27.07.2025 at around 07:30 AM, while the complainant was working as a guard in SECL, some persons were cutting trees in the



nursery. When he asked them not to cut the trees, a quarrel ensued between them. It is alleged that the applicant assaulted the complainant with a bamboo stick on his head, as a result of which he sustained injuries. The MLC was conducted by the Medical Officer at CHC Vishrampur, wherein one lacerated wound was found on the right temporal region of the head and one contusion was present on the left side of the chest. No definite opinion was given by the doctor, and the complainant was referred for a CT scan. An FIR was thereafter lodged under Sections 296, 117(2), 109, and 3(5) of the BNS, and the applicant was arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that there is no evidence to disclose any intention or motive on the part of the applicant to commit murder. The applicant neither used any weapon nor acted with premeditation, rather, the incident arose out of a sudden quarrel between the parties which escalated into a fight. It is further submitted that the complainant did not sustain any grievous or life-threatening injuries, and that the present case has been falsely and maliciously registered only to exert pressure upon the applicant. As per the MLC conducted by the Medical Officer, no injury has been found to be fatal in nature, and the complainant was not hospitalized for a prolonged period. Learned counsel further submits that the role attributed to the present applicant is limited, as he merely accompanied the co-accused, namely Pawan Lakda, who allegedly assaulted the injured with a bamboo stick on the head, resulting in the injuries sustained. As per the MLC, only one lacerated wound was found on the right temporal region of the head and one contusion on the left side of the chest, with no internal injuries reported. It is also submitted that the applicant has no



criminal antecedents and has been in judicial custody since 29.12.2025.

Considering that the conclusion of the trial is likely to take considerable time, it is prayed that this Court may kindly grant 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 before the competent Court in the present case. She further submits that the present applicant, along with other co-accused persons, assaulted the injured with a bamboo stick on his head and back, as a result of which he sustained grievous injuries. Therefore, it is contended that the applicant is not entitled to the grant of regular bail in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence, and the role attributed to the applicant is that he merely accompanied the co-accused, Pawan Lakda, who allegedly assaulted the injured with a bamboo stick on the head and as per the MLC, the injured sustained only one lacerated wound on the right temporal region of the head and one contusion on the left side of the chest, with no internal injuries reported. Further, the applicant has no criminal antecedents, the charge-sheet has already been filed before the competent Court, and the applicant has been in custody since 29.12.2025. Considering that the trial is likely to take some time to conclude, this Court is of the opinion that the applicant is entitled to be released on bail.
7. Accordingly, the bail application is allowed.



8. Let applicant, **Durjan @ Surjan Ram**, involved in Crime No. 181/2025 registered at Police Station : Vishrampur, District – Surajpur (C.G.) for the offence punishable under Sections 296, 117(2), 109, 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail on his furnishing a **personal bond with two sureties** in the like amount 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



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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.

9. Office is directed to send a certified copy of this order to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Abhishek