



2026:CGHC:12757

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1549 of 2026**

Devilal Joshi S/o Nandkishore Joshi Aged About 38 Years Present R/o G.T.  
Town Hall Siltara Raipur District- Raipur (C.G.)

**... Applicant****versus**

State of Chhattisgarh Through- Station House Officer Police Station- Singhoda,  
District- Mahasamund (C.G.)

**... Non-Applicant**

|                         |                                                                                     |
|-------------------------|-------------------------------------------------------------------------------------|
| For Applicant           | : Ms. Fouzia Mirza, Senior Advocate assisted by<br>Mr. Ahmed Ayaan Mirza, Advocate. |
| For Non-Applicant/State | : Ms. Sameeksha Gupta, 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. 4/2026 registered at Police Station – Singhoda, District- Mahasamund (C.G.) for the offence punishable under Sections 110, 125(a), 287 and 3(5) of Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that on 13.01.2026, the complainant, Jadhav Pradhan S/o Rohit Pradhan, lodged a report stating that due to negligence in work and careless handling of inflammable material by the driver of the pickup vehicle bearing registration No. CG 04 PZ 9485, namely Shailendra Singh Chouhan, along with his companion

Vikas Chourasiya, the owner of the vehicle Manish Nabariya, and others, a gas tank caught fire and exploded. This incident caused a huge loss of life and property to people travelling on the National Highway, as well as to vehicles and people living in nearby houses and shops, and also resulted in damage to the road infrastructure of the National Highway. Consequently, traffic on the National Highway was disrupted for about 6–7 hours. Based on the written complaint made by the complainant, an FIR bearing Crime No. 4/2026 was registered on 13.01.2026 at Police Station Singhoda, District Mahasamund (C.G.), against the accused persons for offences punishable under Sections 110, 125(a), 287, and 3(5) of the Bharatiya Nyay Sanhita, 2023, and the matter was taken up for investigation.

3. It is submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. It is further contended that the FIR was initially lodged against three accused persons, namely, Shailendra Singh Chouhan, Vikas Chourasiya, and Manish Nabariya, who are alleged to be the driver, conductor, and owner, respectively, of the vehicle in question, i.e., Pickup bearing registration No. CG04PZ 9485. It is further submitted that the present applicant has been implicated solely on the basis of the memorandum statement of co-accused Shailendra Singh Chouhan (driver of the said vehicle). Moreover, no incriminating articles, including the four gas cylinders, have been seized at the instance of the applicant, rather, the said cylinders were recovered from the premises of co-accused Pokhraj Joshi. Learned counsel further submits that the applicant has no prior criminal antecedents. The charge-sheet has already been filed, and the applicant has been in judicial custody since 15.01.2026. Considering that the trial is likely to take a considerable time to conclude, it is prayed that this Court

may kindly grant bail to the applicant.

4. On the other hand, the learned State counsel opposed the bail application and submitted that the charge-sheet has been filed in the present case. She further submits that from the perusal of the case diary, it is also revealed that the accused persons are charged with negligently causing fire in an inflammable gas tank on the National Highway, thereby obstructing traffic, damaging the National Highway, and endangering human life. Further, the applicant has one previous criminal antecedents Hence, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the present applicant has been implicated solely on the basis of the memorandum statement of co-accused Shailendra Singh Chouhan (driver of the said vehicle), further the applicant has one previous criminal antecedent, the charge-sheet has been filed and he is in jail since 15.01.2026 and conclusion of the trial is likely to take some time, 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 - **Devilal Joshi**, involved in Crime No. 4/2026 registered at Police Station – Singhoda, District- Mahasamund (C.G.) for the offence punishable under Sections 110, 125(a), 287 and 3(5) of 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 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**

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