



2026:CGHC:12748



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1685 of 2026

Ramnarayan Dhiwar Aged About 30 Years S/o Teejram Dhiwar R/o - Village -
Afreed, P.S. - Saragaon, District - Janjgir-Champa (C.G.)

...Applicant

versus

State Of Chhattisgarh Through P.S. Sakti District - Sakti (C.G.)

... Respondent

For Applicant	:	Shri Basant Dewangan, Advocate.
For	:	Shri Soumya Rai, Dy.G.A.
Respondent/State		

Hon'ble Mr. 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.423/2025 registered at Police Station Sakti, District Sakti (C.G.) for
the offence punishable under Sections 308(2), 319(2), 331(4), 204,
205, 112, 351(2), 3(5) of B.N.S.



2. Case of the prosecution, in brief, is that complainant namely Ganpatlal Lahre lodged first information report (F.I.R.) on 24/11/2025 alleging that on 22/11/2025 at about 23:30 hours some unknown persons came at the house of her sister Amrika Bai, concealing themselves as excise officials, and entered the house of Amrika Bai. The said persons threatened the sister of the complainant that they will arrest her on account of selling illicit country made liquor and if she doesn't want to go to jail then she has to pay sum of Rs. 30,000/-. The complainant gave sum of Rs. 30,000/- in the meanwhile some of the villagers came to the house of Amrika Bai, seeing them those persons including the present applicant tried to flee from the spot but got caught and therefore the aforesaid offences were registered against the co-accused persons including the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He would submit that the prosecution has failed to recover any alleged cash from the applicant, and the seizure of a mobile phone and motorbike neither belonging to him does not connect him with the alleged offence. It is further submitted that the applicant was not apprehended from the scene of crime but was picked up from a different location due to the inability of the police to trace the main accused persons and the implication of the applicant is solely based on his memorandum statement. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 24/11/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.



4. On the other hand, learned State Counsel opposes the bail application and he would submit that charge sheet has been filed in this case before the competent court. He would submit that the applicant has three criminal antecedents, out of which two cases are disposed of and one case is pending.
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, nature of allegation levelled against the applicant, period of detention of the applicant since 24/11/2025, applicant has three criminal antecedents, out of which two cases are disposed of and one case is pending, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, therefore 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 and it is directed that the Applicant- **Ramnarayan Dhiwar** involved in Crime No.423/2025 registered at Police Station Sakti, District Sakti (C.G.) for the offence punishable under Sections 308(2), 319(2), 331(4), 204, 205, 112, 351(2), 3(5) of B.N.S., 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 for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE