



2026:CGHC:13020



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1662 of 2026

Rohan Yadav S/o Late Shri Raju Yadav Aged About 18 Years R/o Islam
Muhalla Saraypali, Thana And Tehsil- Saraypali, Distt.- Mahasamund (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Saraypali, Distt.- Mahasamund (C.G.)

...Non-applicant

For Applicant : Mr. Sunil Sahu, Advocate

For Non-Applicant/State : Ms. Vaishali Mahilong, Dy. G.A.

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. 321/2025 registered at Police Station - Saraypali, District - Mahasamund (C.G.), for the offences punishable under Sections 126(2), 309(6), 351(2) of the BNS 2023.



2. The prosecution story, in brief, is that on 18.11.2025 against the applicant with the averment that on 25.09.2025 at about 9 Pm he along with his friend Uttam Kumar coming from village Telidipa to Harratar on the way applicant Rohan Yadav, Vinay Kumar Shah, Harishankar Dadsena and Ritesh patel R/o. Saraypali were staying at Road and they stoped the complainant and his friend beaten him and snatched the Redmi Note-5 Mobile Set containing SIM No. 8463811970 and cash of Rs, 4000/- and due to alleged marpeet he received the injury on leg, hand, and backside further averment in the report is that on 18.11.2025 he came to know that his mobile is kept by the present applicant therefore the report is lodge in which the alleged offences were registered and applicant as well as co accused persons were arrested after completing the investigation charge-sheet is filed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case by the prosecution agency and has not committed any offence as alleged; it is further submitted that as per the complainant, the alleged incident took place on 25.09.2025, whereas the report was lodged on 18.11.2025 after a delay of about three months, for which no plausible explanation has been furnished, despite the fact that the complainant and the applicant are known to each other and reside in the same locality; it is also contended that the names of four persons, including the present applicant, have been implicated after such an inordinate delay, and that the mobile phone allegedly seized from the applicant had in fact been given by the complainant himself for use, and due to some dispute between them, a false report has been lodged; learned counsel further submits that



the offences alleged are triable by the Judicial Magistrate First Class, the investigation has been completed and the charge-sheet has already been filed, and there is no legal evidence available on record to constitute the ingredients of the offence of robbery it is also submitted that the complainant was medically examined on 19.11.2025 and no visible injury was found by the doctor, which further falsifies the prosecution case, therefore, the applicant deserves to be enlarged on bail.

4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has been filed 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 levelled against the present applicant, and also taking into account that the applicant has no criminal antecedent, that the charge-sheet has been filed before the competent Court, and the applicant has been in jail since 20.11.2025, and that the conclusion of the trial may take some more time, this Court is of the considered opinion that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Rohan Yadav**, involved in Crime No. 321/2025 registered at Police Station - Saraypali, District - Mahasamund (C.G.), for the offences punishable under Sections 126(2), 309(6), 351(2) of the BNS 2023, 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 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