



2026:CGHC:13025

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1743 of 2026**

Mancharlakistaswami S/o Late Narsimha Aged About 55 Years R/o Village
Madded Bhoipara, P.S. Madded, Distt. Bijapur, Chhattisgarh. ... **Applicant**

versus

State Of Chhattisgarh Through The Police Station Madded, Distt. Bijapur,
Chhattisgarh. ...**Non-applicant**

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate

For Non-Applicant/State : Mr. Shubham Bajpayee, 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. 21/2025 registered at Police Station - Madded, District - Bijapur (C.G.), for the offences punishable under Section 109, 351(3) of the BNS.

2. The prosecution story, in brief, is that on 15.09.2025 while the complainant namely Prashant mungal was using his mobile near Bhoipara Chowk, at that time the injured namely Mancharla Damodar was going to his house via Bholpara Chowk when suddenly the present applicant has came with and Axe and assaulted the injured. Following the FIR, the police-Initiated investigation, arrested the present applicant on 16.09.2025 and charge sheet has been filed before the competent court.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated by the concerned Police Station and has not committed any offence as alleged by the prosecution; it is further submitted that the alleged seizure of an axe has been made from an open place behind the house of the applicant, which casts doubt on the prosecution story; it is also contended that the injured has already been examined before the learned trial Court and has categorically stated in his deposition that he sustained injuries after falling into a drainage ditch outside the applicant's house, and the said deposition has been placed on record as Annexure A-3; learned counsel further submits that as per the query report, the doctors have opined that the injuries sustained by the victim are not fatal or likely to cause death; it is also submitted that the applicant is in judicial custody since 16.09.2025 and is confined with hardened criminals, which may adversely affect his mental well-being, and 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

already been filed in the present case; it is further submitted that the applicant has three previous criminal antecedents, which reflects his criminal propensity, and therefore, the applicant is not entitled to be released on 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 16.09.2025, 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 – **Mancharlakistaswami**, involved in Crime No. 21/2025 registered at Police Station - Madded, District - Bijapur (C.G.), for the offences punishable under Section 109, 351(3) 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 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