



2026:CGHC:12747

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1625 of 2026

Ajay Goswami S/o late Uday Goswami Aged About 23 Years R/o Village Sothi
Ward No. 01, P.S. Bamhanidih, District Janjgir-Champa, Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Sakti,
District Sakti, Chhattisgarh.

... Respondent

For Applicant : Ms. Nita Choubey, 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), 318(4), 331(4),
204, 205, 112, 351(2), 3(5) of B.N.S.

2. Case of the prosecution, in brief, is that the complainant has lodged a report to the concerned police Station, alleging that on 22.11.2025 at about 11.30 O'clock in the night 5 unknown persons entered into the house of the complainant and they have illegally demanded amount of Rs. 30,000/- in the name of illegal selling liquor by threatening. Based upon such complaint made by the complainant, the police has registered the case under section 308(2), 319(2), 318(4), 331(4), 204, 205, 112, 351(2), 3(5) of B.N.S. against the unknown persons and after the investigation, the police has arrested the present applicant on the memorandum statement.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and no incriminating material has been seized from his possession, and his alleged involvement is based solely on the memorandum statement of the co-accused. It is further submitted that the applicant neither demanded nor received any amount from the complainant. She 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, she 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 and the applicant has no criminal antecedents.
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, charge sheet has been filed, applicant has no criminal antecedents 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- **Ajay Goswami** 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), 318(4), 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