



2026:CGHC:17892

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2704 of 2026

1 - Chain Singh @ Chainu, Aged About 40 Years S/o Kodu Ram By Caste – Gond,

2 - Ghanshyam Singh @ Nanbabua, Aged About 32 Years, S/o Amol Singh By Caste- Gond,

3 - Rammilan Singh, Aged About 36 Years, S/o Chotelal By Caste- Gond, All R/o Village Aamadamak Thana Kelhari, Distt- M.C.B. CG

... Applicants

versus

State Of Chhattisgarh Through- Station House Officer Police Station Kelhari Distt- M.C.B. (C.G.)

... Respondent

For Applicants : Ms. Bhavika Kotecha, Advocate.

For : Shri Shailendra Sharma, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

20/04/2026

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 applicants who have been arrested in connection with Crime No.60/2025 (wrongly mention in order) registered at Police Station Kelhari, M.C.B (CG), for the offence punishable under Sections 105, 238, 3(5) of B.N.S. & 135 (1)(b) of Electricity Act.

2. Case of the prosecution, in brief, is that on 22.10.2025 at about 12:00 A.M. (midnight), the deceased, Pushwaram, along with some other persons, went to the forest to search for the daughter of his elder brother, Dindayal. In the said forest, certain unknown persons had spread a G.I. wire for the purpose of hunting wild pigs. At about 1:30 A.M., Pushwaram came into contact with the said G.I. wire through which electricity was flowing, resulting in his death. An FIR was registered against unknown persons after a delay of seven days, on 28.10.2025. During the course of investigation, it was found that the applicant and other co-accused persons, in furtherance of their common object to hunt wild pigs, had spread the G.I. wire and connected it to a transformer installed in the forest. After completion of the investigation, a charge-sheet has been filed under Section 135(1) (b) of the C.G. Electricity Act and Sections 105, 238, and 3(5) of the B.N.S.
3. Learned counsel for the applicants submits that the applicants are innocent and have not committed any offence as alleged. The allegations are baseless, without any foundation, and there is not an iota of evidence against them. It is further submitted that nothing has been seized from the applicants, nor were they present at the spot. The police have allegedly prepared a forced seizure memo and wrongly implicated the applicants in a serious offence which they never

committed. Moreover, the FIR was initially registered against unknown persons and suffers from delay. She would submit that the charge sheet has been filed in this case, the applicants are in jail since 27/12/2025 and conclusion of trial will take some time, therefore, she prays for grant of bail to the applicants.

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 applicants have no criminal antecedents. He would submit that the applicant and co-accused persons, in furtherance of their common object to hunt wild pigs, illegally laid a G.I. wire in the forest and connected it to a live electricity source (transformer) and due to this act, the deceased, Pushwaram, came into contact with the electrified wire and died. Accordingly, the applicant and co-accused persons are alleged to be responsible for causing death by their unlawful and negligent act, therefore the applicants are not entitled for grant of bail.
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, submission of learned counsel for the parties, materials available on record, though allegation against the applicants and co-accused persons is that they acted with a common intention to hunt wild pigs, allegedly laid a G.I. wire in the forest and illegally connected it to a live transformer, as a result, the deceased came into contact with the electrified wire and died but considering the fact that charge sheet has been filed, period of detention of the applicants since 27/12/2025,

applicants have no criminal antecedents and also considering the fact that trial is likely to take some time for its conclusion, without commenting anything on the merits of the case, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Accordingly, the bail application is allowed and it is directed that the Applicants- **Chain Singh @ Chainu, Ghanshyam Singh @ Nanbabua & Rammilan Singh**, involved in Crime No.60/2025 registered at Police Station Kelhari, M.C.B (CG), for the offence punishable under Sections 105, 238, 3(5) of B.N.S. & 135 (1)(b) of Electricity Act, be released on bail on each of them furnishing a **personal bond with two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fails to appear before the court on the date fixed in such proclamation, then, the

trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants 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 them 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