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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1846 of 2026

Sagar Verma S/o Shri Khomlal Verma Aged About 35 Years R/o Village Khuteri, P.S. Mandir Hasaud, District Raipur Chhattisgarh

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station Mandir Hasaud, Raipur, District Raipur Chhattisgarh

... Non-applicant

For Applicant : Mr. Pushpendra Kumar Patel, Advocate.

For Non-applicant/State : Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.02.2026

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. 384/2025 registered at Police Station – Mandir Hasaud, District Raipur (C.G.) offence under Sections 296, 115(2), 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. According to the prosecution story, the complainant, Toshani Sahu, lodged a report at Police Station Mandir Hasaud on 30.08.2025, alleging therein that the accused persons had assaulted him and used filthy language while extending threats to his life. As a result, the complainant



sustained injuries on his head and leg.

3. It has been argued by learned counsel for the applicant that the applicant has been falsely implicated in this case. He submits that as per material available on record, prima facie case of U/s. 296, 115(2), 351(2) & 3(5) of the Bharatiya Nagarik Sanhita, 2023 is not made out against the present applicant. He also submits that as per the material collected by the prosecution, no offence is made out against the present applicant. He further submits that the other co-accused, namely, Sourabh Verma has already been enlarged on bail by the concerned trial Court vide order dated 01.01.2026. He submits that the present applicant the present applicant has 01 criminal antecedent in which he has already been acquitted. The applicant has been in jail since 21.11.2025, conclusion of the trial may take sometime, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned Panel Lawyer appearing for the State/non-applicant opposed the bail application and submitted that the charge sheet has already been filed before the competent Court. She further submitted that the present applicant, along with the other co-accused, namely Sourabh Verma, assaulted the injured persons, namely Toshan Sahu and Tilak Sahu, with an iron chain and by using hands and fists. Though the injured Tilak Sahu sustained simple injuries, the injured Toshan Sahu sustained grievous injuries on his head and leg. Therefore, the applicant is not entitled to the grant of regular bail in the present case.
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, and from perusal of the case diary as well as the medical report of the injured,



it appears that the allegation against the applicant and the co-accused, namely Sourabh Verma, is that they assaulted the injured persons, namely Toshani Sahu and Tilak Sahu, with an iron chain and by using hands and fists. Though the injured Tilak Sahu sustained simple injuries, the injured Toshani Sahu sustained grievous injuries on his head and leg, however, the said injury is not dangerous to life. Moreover, the charge sheet has already been filed before the competent Court, and the applicant has been in jail since 21.11.2025. As the conclusion of the trial may take some more time, this Court is of the considered view that the applicant is entitled to be released on bail in the present case.

7. Let the Applicant – **Sagar Verma**, involved in Crime No. 384/2025 registered at Police Station – Mandir Hasaud, District Raipur (C.G.) offence under Sections 296, 115(2), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing **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



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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**

Abhishek