



2026:CGHC:17269

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1926 of 2026**

Raj Thakur S/o Ramesh Thakur, Aged About 21 Years, R/o Village- Ganjpara Mahasamund, Police Station Mahasamund, Tahsil and District - Mahasamund C.G.

... Applicant**versus**

State of Chhattisgarh Through The Station House Officer, Police Station Mahasamund, District – Mahasamund, C.G.

... Non-Applicant

For Applicant : Mr. Pawan Kumar Kesharwani, Advocate.

For Non-Applicant/State : Mr. Shailendra Sharma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****15.04.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 19/2026, registered at Police Station – Mahasamund, District – Mahasamund (C.G.) for the offence punishable under Sections 296, 118(1), 126(1), 351(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act.
2. As per prosecution story, a report has been filed on 12.01.2026 at the police station Mahasamund, stating that on 12/01/2026 at about 01:00 PM, she was at home, her son Devcharan Dhimar had gone for a walk towards the Chowk, when her neighbor Janak Dhimar came to her house

and told that your son Devcharan has been stabbed by Raj Thakur of Ganjpara Mahasamund, due to which the knife is stuck in Devcharan's waist and is bleeding, he admitted in the District hospital Mahasamund, when he went to the District hospital Mahasamund, her son Devcharan was undergoing treatment, when he asked Devcharan, he told that he was going home after roaming around the city with his friend Hitesh Patel, he met Raj Thakur near Badhaipara Mahasamund, who asked him to smoke Ganja, then he said that he does not smoke Ganja, then Raj Thakur abused him by his mother and sister and said that he will make him smoke, today you are not giving it to me, saying this he abused him by saying that today you saying that he will kill him, he stabbed him in the waist with a knife and ran away. Hitesh Patel was with him who left from there. Hitesh Patel and the people around him saw and heard the incident.

3. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. He further submits that the present applicant and the injured are the friends and they have previous animosity. Further, the charge-sheet has been filed, the applicant has no previous criminal antecedents, and he has been in jail since 12.01.2026. As the conclusion of the trial is likely to take some time, learned counsel prays for grant of bail.
4. On the other hand, the learned State counsel opposed the bail application and submitted that the charge-sheet has been filed in the present case. He further submits that from the case diary, it appears that the applicant/accused, Raj Thakur, assaulted Devcharan with a knife when he refused to consume ganja. As per the medical examination report of the doctor annexed with the case diary, the injured sustained grievous injuries in nature and as per the query report, the injury is reported to be dangerous to life, hence, the applicant is not entitled to the grant of bail.

5. I have heard learned counsel for the parties and perused the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the charge-sheet has been filed before the competent Court, further the applicant has no previous criminal antecedents, and he has been in jail since 12.01.2026, and the conclusion of the trial will take some time, this Court is of the opinion that the applicant is entitled to be released on bail.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Raj Thakur**, involved in Crime No. 19/2026, registered at Police Station – Mahasamund, District – Mahasamund (C.G.) for the offence punishable under Sections 296, 118(1), 126(1), 351(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act, 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 his, 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 his 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