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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1944 of 2026

Shubham Sonkar @ Sibbu Sonkar S/o Late Shri Suresh Sonkar Aged About 18 Years R/o Dongargaon, Police Station And Tahsil Dongargaon, District Rajnandgaon, Chhattisgarh.

... Applicant

versus

The State of Chhattisgarh Through The Station House Officer, P.S. Dongargaon, District Rajnandgaon, Chhattisgarh.

... Non-applicant

For Applicant	: Mr. Rajendra Patel, Advocate.
For Non-applicant/State	: Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

26.02.2026

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. 363/2025 registered at Police Station Dongargaon, District Rajnandgaon (C.G.), for the offences punishable under Sections 296, 115(2), 191(2), 49 and 109 of the Bhartiya Nyaya Sanhita, 2023.
2. The prosecution story, in brief, is that on 21.11.2025 at about 17:53 hours, a written complaint was lodged by Yogesh Kumar Dewangan alleging that on 20.11.2025 at around 8:30 p.m., accused Rahul Yadav



and other co-accused persons assaulted his guests with a rod and a balli (wooden stick). It is stated that the guests, namely Surendra Navle, Vijay Gangaji Bawne, Ranjit Shaligram Deshmukh, and Bhogde, had gone near Gautam Hotel to have betel leaves (pan). At that time, Yogesh Kumar Dewangan questioned Bhanu Yadav as to why his son had slapped him during the time of Ganesh Puja. Upon hearing this, Rahul Yadav and the other accused persons became agitated and attacked the said guests with a rod and a wooden stick, causing injuries. It is further alleged that Surendra Navle sustained injuries on his left hand and head, while the other injured persons also suffered grievous injuries. Based on the aforesaid allegations, the offences, as mentioned above, have been registered against the present Applicant, and after completion of the investigation, the charge-sheet has been filed.

3. Learned counsel for the applicant submits that the present applicant is an innocent person and has been falsely implicated in the aforesaid case. He further submits that the name of the present applicant has come to light only on the basis of the memorandum statement of the co-accused, namely, Rajendra Yadav, who has already been granted regular bail by this Court in MCRC No. 490 of 2026 vide order dated 12.02.2026. Therefore, he prays for grant of regular bail to the applicant on the ground of parity.
4. On the other hand, the 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. She submits that the present applicant has 01 criminal antecedent under the IPC.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case and



the fact that the name of the present applicant has come to light only on the basis of the memorandum statement of the co-accused, namely, Rajendra Yadav, who has already been granted regular bail by this Court in MCRC No. 490 of 2026 vide order dated 12.02.2026, further, the fact that the charge - sheet has already been submitted in the present case before the competent Court and the applicant is in jail since 10.12.2025, conclusion of the trial may take some more time, therefore, this Court is of the view that the present applicant is entitled to be released on bail in this case on the ground of parity.

7. Let the Applicant – **Shubham Sonkar @ Sibbu Sonkar**, involved in Crime No. 363/2025 registered at Police Station Dongargaon, District Rajnandgaon (C.G.), for the offences punishable under Sections 296, 115(2), 191(2), 49 and 109 of the Bhartiya 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