



2026:CGHC:10302



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2051 of 2026

Abhay Raksel, Aged About 19 Years, S/o Bharat Raksel R/o Marhi Mata Mandir Near Mekahara Hospital Current Address- Near Talab Par Rajbandha Maidaan, p/s Moudhapara Raipur C.G.

... Applicant

versus

State Of Chhattisgarh Through- p/s Moudhapara Raipur (C.G.)

... Respondent

For Applicant	:	Shri Lukesh Kumar Mishra, Advocate (through VC)
For	:	Shri Sourabh Sahu, PL.
Respondent/State	:	
For complainant	:	Shri Prakhar Dutt, Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

27/02/2026

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.123/2025 registered at Police Station Moudhapara, Raipur,



C.G. for the offence punishable under Sections 109(1), 296, 115(2), 351(2), 3(5) of the BNS r/w section 25 and 27 of the Arms Act (As per the charge sheet)

2. Case of the prosecution, in brief, is that on 28.06.25, the applicant along with other co-accused had assaulted the injured Ehsaan using knife. Based upon such information, FIR bearing crime no.123/25 u/s 109(1), 296, 115(2), 351(2), 3(5) of the BNS was registered. Later, the applicant was arrested on 29.06.2025 and his memorandum statement was recorded, and a knife was recovered therefore, offence u/s 25 and 27 of the Arms Act was added.
3. Learned counsel for the applicant submits that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 06/11/2025 in MCRC No.8861/2025. He would submit that the statement of the injured has already been recorded by the trial court but he has not identified the applicant in commission of crime. He would submit that the applicant is in jail since 29/06/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application.
5. Learned counsel for the complainant has no objection for grant of bail to the applicant.



6. I have heard learned counsel for the parties and perused the case diary.
7. From perusal of the records, it transpires that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 06/11/2025 in MCRC No.8861/2025. Considering the fact that statement of the injured has already been recorded by the trial court but he has not identified the applicant in commission of crime, applicant is in jail since 29/06/2025 and 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.
8. Accordingly, the second bail application is allowed and it is directed that the Applicant- **Abhay Raksel**, involved in Crime No.123/2025 registered at Police Station Moudhapara, Raipur, C.G. for the offence punishable under Sections 109(1), 296, 115(2), 351(2), 3(5) of the BNS r/w section 25 and 27 of the 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 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.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE