



2026:CGHC:18775

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2414 of 2026**

Raza Khan @ Sutti S/o Shri Firoj Khan, Aged About 26 Years, R/o Idgah Bhatha, Raipur, Distt. Raipur, Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through Station House Officer, P.S. Purani Basti, Raipur, Distt. Raipur, Chhattisgarh.

... Non-Applicant

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate.
For Non-Applicant/State	: Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.04.2026**

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. 0448/2025 registered at Police Station – Purani Basti, District- Raipur (C.G.) for the offence punishable under Sections 119(1) and 296 of Bharatiya Nyaya Sanhita, 2023.
2. According to the prosecution story, a report was lodged by the complainant, Krishna Bawankar, at Police Station Purani Basti, District Raipur, alleging that on 04.11.2025 at about 10:30, when he was at Budheshwar Talab Garden, the present applicant came there and demanded cash for consuming alcohol. On refusal, the applicant

threatened him and assaulted him while using filthy language. When two other persons protested, the applicant fled from the spot. On the basis of this report, Crime No. 0448/2025 was registered at Police Station Purani Basti, District Raipur (C.G.) for offences punishable under Sections 119(1) and 296 of the Bharatiya Nyay Sanhita, 2023, against the present applicant.

3. It is argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the charge-sheet has been filed. Further, the applicant has five previous criminal antecedents under the IPC and Arms Act, out of which in one case he has been acquitted and other cases are pending, and an explanation of the same has been provided through covering memo. The applicant has been in judicial custody since 04.11.2025. As the conclusion of the trial is likely to take a considerable amount of time, learned counsel prays for grant of bail to the applicant.
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. She further submitted that the applicant is alleged to have assaulted the injured with his hands and fists. Further, the applicant has five previous criminal antecedents, hence, he 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, the nature and gravity of the allegations levelled against the applicant, and the fact that the charge-sheet has been filed, and considering that the explanation of the criminal antecedents of the applicant has been given through a covering memo, and that he has been in jail since 04.11.2025,

and that 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 - **Raza Khan @ Sutti**, involved in Crime No. 0448/2025 registered at Police Station – Purani Basti, District- Raipur (C.G.) for the offence punishable under Sections 119(1) and 296 of Bharatiya Nyaya Sanhita, 2023, 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.

- 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**

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