



2026:CGHC:18212

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2430 of 2026

Neelu @ Nileshwar Sahu S/o Late Sitaram Sahu Aged About 32
Years R/o Village R.B. Chifmen, P.S. Sankra, District Mahasamund
Chhatisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Sankra, District Mahasamund (Cg)

... Non-applicant

For Applicant	: Mr. Sudhir Kumar Sahu, Advocate
For Non-applicant/ State	: Ms. Ritika Verma, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21/04/2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.26/2026, registered at Police



Station : Sankra, District-Mahasamund (C.G.) for the offence punishable under Sections 326(2) of the Bharatiya Nyaya Sanhita, 2023.

2. That, the case of the prosecution, in brief, is that the complainant lodged a report at Police Station Sankra alleging that the present applicant intentionally set fire to his hut, thereby causing damage to his property and resulting in a loss estimated at ₹40,000–₹50,000. Acting upon the said complaint, the police registered Crime No. 26/2026 against the present applicant for the offence punishable under Section 326(2) of the Bhartiya Nyaya Sanhita, 2023.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the allegations arise out of a prior land dispute relating to Government land bearing Khasra No. 158. It is further submitted that the complainant is already a beneficiary under the Pradhan Mantri Awas Yojana (Gramin) and has been allotted a permanent house, therefore, the allegation regarding damage to a temporary hut is doubtful. It is also submitted that no injury has been caused to any person, the applicant does not reside at the alleged place of



occurrence, and there is no likelihood of his absconding. The applicant is in judicial custody since 12.02.2026, has no criminal antecedents, and his continued detention would cause undue hardship to his dependent family members. He is ready to furnish adequate surety and abide by all conditions as may be imposed by this Court.

4. Per contra, learned counsel for the State opposes the bail application and submits that the applicant is involved in a serious offence of intentionally setting fire to the complainant's hut, causing substantial loss, thereby disclosing a prima facie case. It is contended that the plea of false implication on account of a land dispute is an afterthought and does not dilute the gravity of the offence. It is further submitted that the investigation is at a crucial stage and, if released on bail, the applicant may influence witnesses or tamper with evidence, particularly in view of the prior enmity between the parties. Hence, considering the gravity of the offence, it is prayed that the applicant is not entitled to be granted bail.
5. I have heard learned counsel for the parties and perused the material available on record.



6. Taking into consideration the facts and circumstances of the case, particularly that the dispute appears to have arisen out of an alleged encroachment over Government land, the absence of any bodily injury, the nature of allegations being limited to damage to a temporary structure, and the material placed on record indicating prior enmity between the parties, this Court is of the considered opinion that further custodial detention of the applicant is not warranted. Taking into account that the applicant is in judicial custody since **12.02.2026**, has no likelihood of absconding, and the trial is likely to take considerable time. the bail application deserves to be **allowed**.
7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Neelu @ Nileshwar Sahu**, involved in Crime No.26/2026, registered at Police Station : Sankra, District-Mahasamund (C.G.) for the offence punishable under Sections 326(2) of the Bharatiya Nyaya Sanhita, 2023 be released on bail on furnishing **personal bond** with **two local 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 misuse the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS is issued and the applicant fail 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,



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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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Arpan