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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2474 of 2026**

Jagnandan Yadav S/o Sarju Yadav Aged About 26 Years R/o Poskat Chouki-Pandrapath, Police Station - Bagicha, District- Jashpur,(C.G.)

... Applicant**versus**

State Of Chhattisgarh Through, Police Station - Bagicha, District – Jashpur, (C.G.)

---- Non-applicant

For Applicant : Mr. Navneet Kumar Yadav, Advocate.

For Non-applicant/State : Mr. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****17.03.2026**

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. 02/2026, registered at Police Station – Bagicha, District – Jashpur (C.G.) for the offence punishable under Sections 296, 351(2), 115, 126(2), 117(3)(1) and 3(5) of the BNS.
2. The case of the prosecution, is that the complainant namely Basant Das lodged a written FIR at Police Station concerned alleging that main accused Lallu Raj @ Ajay Yadav assaulted the complainant by fists and wooden stick and abused him in filthy language, it is alleged that the applicant has stopped his vehicle of the complainant and also abused him, except the said allegation of stopping the vehicle and verbal abuser, no specific overt act causing grievous injury has been



attributed to the applicant. On the basis of the said report, the Police has registered the crime against the applicant and other co-accused person. Hence, this application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further submitted that though the applicant along with the co-accused is said to have assaulted the injured/complainant with wooden stick, but it is the co-accused Lallu Raj @ Ajay Yadav who has assaulted the injured with wooden stick, and so far as the assaulted made by the present applicant is concerned, it only pertains to be committed by hands and fists. The applicant is in jail since 07.01.2026 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that the applicant along with the co-accused is said to have assaulted the injured with a wooden stick by abusing him in a filthy language, due to which the injured has lost his one eye, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of 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 though the applicant along with the co-accused is said to have assaulted the injured/complainant with wooden stick, but it is the co-accused Lallu Raj @ Ajay Yadav who has assaulted the injured with wooden stick, and so far as the assaulted made by the present



applicant is concerned, it only pertains to be committed by hands and fists, and the case of the applicant is distinguishable from the case of the co-accused who has made the assault to the injured with wooden stick, the applicant is in jail since 07.01.2026 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Jagnandan Yadav**, involved in Crime No. 02/2026, registered at Police Station – Bagicha, District – Jashpur (C.G.) for the offence punishable under Sections 296, 351(2), 115, 126(2), 117(3)(1) and 3(5) of the BNS, 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.



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(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**

Rajshekhar