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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2558 of 2026**

Lal Bahadur S/o Late Rambriksh Aged About 24 Years R/o Dhandhapur,
Badkapara, P.S. Rajpur, District- Balrampur- Ramanujganj Chhattisgarh

... Applicant**versus**

State Of Chhattisgarh Through S.H.O. Police Station Rajpur, District –
Balrampur-Ramanujganj, Chhattisgarh

---- Non-applicant

For Applicant	: Ms. Prachi Diwan, Advocate.
For Non-applicant/State	: Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****18.03.2026**

1. The applicant has preferred this **Second 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. 40/2025, registered at Police Station – Rajpur, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 296, 351(2), 115(2), 109 and 3(5) of the BNS.
2. First bail application of the applicant was rejected by this Court vide order dated 09.07.2025 passed in MCRC No.5293 of 2025.
3. The case of the prosecution, is that complainant Ramsigh Sandilya lodged report in concerned Police Station stating that on 24.02.2025 at about 7 pm his nephew Sonu and Mannu went into village Gopalpur to Dhamdhapur in Barat and at Wedding they were performing dancing



and singing during the event Lal Bahadur, Panda, Samla and Krishan allegedly abused assaulted sonu and mannu with stick abusing them obscenely and threatening to kill them asking them why were they outsider making our village girls dance, as per the said report crime was registered against the applicants and other co-accused. Hence, this application.

4. 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 the co-accused persons namely, Karamchand, Krishna Kumar and Anil Singh have already been granted bail by this Court vide orders dated 28.10.2025 and 19.02.2026 passed in MCRC Nos. 8537/2025 and 1628/2026, moreover, the injured namely Sonu Sandilaya has been examined before the trial Court and has not supported the case of prosecution, hence, turned hostile. The applicant is in jail since 24.05.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
5. On the other hand, learned counsel for the State opposes the instant second bail application of the applicant and submits that the applicant along with the co-accused is said to have assaulted the injured and due to which he has sustained grievous injuries on his person, but could not dispute the fact that co-accused person has already been granted bail by this Court and the case of the present applicant is identical to that of the co-accused, and also that the injured witness has turned hostile before the trial Court.
6. I have heard learned counsel for the parties and perused all of the



documents available on record.

7. Taking into consideration the facts and circumstances of the case, and the fact that the co-accused persons namely, Karamchand, Krishna Kumar and Anil Singh have already been granted bail by this Court vide orders dated 28.10.2025 and 19.02.2026 passed in MCRC Nos. 8537/2025 and 1628/2026, moreover, the injured namely Sonu Sandilaya has been examined before the trial Court and has not supported the case of prosecution, hence, turned hostile, and the applicant is in jail since 24.05.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this second bail application, on the ground of parity.
8. Let applicant, **Lal Bahadur**, involved in Crime No. 40/2025, registered at Police Station – Rajpur, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 296, 351(2), 115(2), 109 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.



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(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 forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rajshekhar