



2026:CGHC:12468



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2458 of 2026

Vivek @ Vicky Korsewada S/O Dronendra Kumar Korsewada Aged About 35 Years R/o Borsi, PS Padmanabhpur, District - Durg (C.G)

... Applicant

versus

State of Chhattisgarh Through P.S. - Citykotwali Dhamtari, District - Dhamtari (C.G.)

... Non-applicant

For Applicant	: Mr. Shobhit Koshta, Advocates.
For Non-Applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 327/2025 registered at Police Station City Kotwali, District – Dhamtari (C.G.), for the offences punishable under Sections 204(2), 319(2), 331(3), 61(2), 3(5) of the Bhartiya Nyaya Sanita, 2023.
2. The prosecution story, in brief, is that on 17.11.2025, about 6-7 unknown persons entered the house of the complainant, namely Dilip Rathore, and informed him that they were officers of the Income Tax Department. Thereafter, they started searching the complainant's house but did not



produce any warrant despite repeated requests. After conducting the search and finding no incriminating material, the accused persons left the house without taking any money or jewellery. Subsequently, on 12.12.2025, the present FIR was lodged against unknown persons.

3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the aforesaid case. He submits that the other co-accused person, namely Jitendra Baghel has already been granted regular bail by this Court in MCRC No. 2228 of 2026 vide order dated 10.03.2026. Therefore, he submits that the present applicant is also entitled to be released on regular bail on the ground of parity.
4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been submitted in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case that the other co-accused person, namely, Jitendra Baghel has already been granted regular bail by this Court in MCRC No. 2228 of 2026 vide order dated 10.03.2026. Also considering the fact that the charge - sheet has already been submitted in the present case before the competent Court and he has been in jail since 16.12.2025 and the conclusion of the trial may take some more time. Therefore, this Court is of the view that the present applicant is entitled to be released on bail in this case on the ground of parity.
7. Let the Applicant – **Vivek @ Vicky Korsewada**, involved in Crime No. 327/2025 registered at Police Station City Kotwali, District – Dhamtari (C.G.), for the offences punishable under Sections 204(2), 319(2),



331(3), 61(2), 3(5) of the Bhartiya Nyaya Sanita, 2023, be released on bail on his furnishing **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



2026:CGHC:12468

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**

Abhishek