



2026:CGHC:13184



2026:CGHC:13184

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2520 of 2026

Nakeeb Khan S/o Sabeer Khan Aged About 18 Years R/o Bus Stand
Dongargarh, Distt – Rajnandgaon, Chhattisgarh

... Applicant

versus

The State of Chhattisgarh Through SHO, Thana - Dongargarh, Distt. –
Rajnandgaon, Chhattisgarh

... Non-applicant

For Applicant	: Mr. Samir Singh, Advocate.
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

19.03.2026

1. This is the first bail application filed under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023, for grant of regular bail to the applicant who has been arrested in connection with Crime No. 316/2025 registered at Police Station- Dongargarh, District – Rajnandgaon (C.G.), for the offence punishable under Sections 309(4), 61(2)(A) of Bhartiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 25 and 27 of Arms Act.
2. The prosecution case, in brief, is that the complainant, namely Asgar Ali, lodged a report stating that on 19.06.2025 at about 8:30 PM, co-accused Nakeeb Khan called him and asked him to meet in the depot area. After some time, two men arrived on a black scooter with towels tied around their mouths. They asked him what he was doing, took out a knife, and



looted his gold ring and cash amounting to Rs. 8,000/-. They also used his phone to transfer a total of Rs. 1,00,000/- to their account. The report was lodged against them, and on the basis of the memorandum of the co-accused, the police arrested the applicants for the alleged commission of the offence.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the present case despite not having committed any robbery of the complainant's articles. The complainant and other witnesses have been examined before the learned trial Court, and they have not supported the prosecution's case. Out of 15 witnesses, only 4 have been examined before the trial court so far. It is further submitted that the charge-sheet has already been filed. Learned counsel further submits that the applicant has no previous criminal antecedents. One case registered as Crime No. 134/2025 in which he is on bail. It is also submitted that other co-accused persons have already been granted bail by this Court vide order dated 24.02.2026 passed in MCRC Nos. 1899/2026. It is further submitted that the applicant is in judicial custody since 22.06.2025 and the conclusion of the trial is likely to take considerable time. Therefore, a prayer has been made for grant of bail to the applicant on the ground of parity.
4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused persons have already been granted bail by this Court and the case of the present applicant is identical to that of the co-accused.
5. I have heard learned counsel appearing for the parties and perused the case diary.



6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the offence, and the fact that co-accused persons have already been granted bail by this Court vide order dated 24.02.2026 passed in MCRC Nos. 1899/2026, further, the explanation of the criminal antecedents has been provided in paragraph No. 4(a) of this bail application, and the charge-sheet has already been filed, and considering that the applicant has been in judicial custody since 22.06.2025, this Court is of the view that the applicant is entitled to be released on bail in the present case on the ground of parity.
7. Accordingly, the bail is **allowed**. Let the Applicant- **Nakeeb Khan**, involved in Crime No. 316/2025 registered at Police Station- Dongargarh, District – Rajnandgaon (C.G.), for the offence punishable under Sections 309(4), 61(2)(A) of Bhartiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 25 and 27 of Arms Act, 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 for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice