



2026:CGHC:13388



2026:CGHC:13388

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2642 of 2026

1 - Santosh Goswami S/o Keshwar Goswami Aged About 25 Years R/o Village Jinga, P.S. - Mohaniya, Distt Bhabhuwa Bihar

... Applicant

Versus

1 - State Of Chhattisgarh Through Station House Officer (Sho) P.S. Surajpur District Surajpur Chhattisgarh

... Non-Applicant

For Applicant	:	Ms. Sareena Khan, Advocate
For Non-Applicant	:	Mr. Love Sharma, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

20/03/2026

1. Applicant has filed this **first bail** application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 171/2025 registered at Police Station – Surajpur, District Surajpur (C.G.) for offence punishable under Section 103, 190, 191(2) of B.N.S., 2023.
2. Case of prosecution in brief is that on 26.03.2025 report was lodged by wife of deceased Varsha stating that when her husband Vijay Kumar was admitted in nasha mukti kendra there was no injury on his person. On 29.03.2025, when upon information she went to see her husband she found multiple injuries on the body of her husband and thereafter CCTV and DCR of the nasha mukti



kendra was seen, it revealed that staff of nasha mukti kendra and other patients have assaulted deceased Vijay Kumar. Based on the report, aforementioned crime was registered and applicant was also arrested along with others on 07.04.2025.

3. Learned counsel for applicant submits that applicant was also admitted in the said nasha mukti kendra and was taking treatment and he was also a patient. From the material available in the charge-sheet, it is apparent that deceased Vijay Kumar, who was also patient in the nasha mukti kendra became violent at the time of alleged incident and the in-charge or the staff present in the nasha mukti kendra tried to control him along with others and in that time deceased suffered some injuries. There is no direct evidence against applicant that applicant has assaulted deceased. Applicant is in jail since 07.04.2025. Only 7 witnesses out of 17 have been examined. Trial may take some time, hence, applicant may be enlarged on bail.
4. On the other hand, learned State counsel opposes the submission of learned counsel for applicant.
5. I have heard learned counsel for the parties.
6. Taking into consideration, facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, without commenting anything on merits of the case, I am inclined to allow this bail application.
7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in like sum to the satisfaction of the Court on the conditions that-

(a) 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.



(b) 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.

(c) 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.

(d) 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/-
(Parth Prateem Sahu)
Judge

Dey