



2026:CGHC:12956



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2546 of 2026**

Khemraj Sagarvanshi S/o Late Baishakhu Sagarvanshi Aged About 45
Years R/o Dhourabhatha Thana Kharora District- Raipur (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through- P.S. Kharora District- Raipur (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Vikas Kumar Pandey, Advocate.

For Respondent(s) : Mr. Shailendra Sharma, Panel Lawyer.

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

18/03/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 798/2025 registered at Police Station Kharora District- Raipur (C.G.) for the offence punishable under Sections 296, 115(2), 351(2), 109 of BNS.



2. Case of the prosecution, in brief, is that on the relevant date, the victim, Khilawan Nishad along with his son was proceeding towards the Sarpanch's house, and upon reaching near the house of the present applicant, the victim allegedly started abusing the applicant with filthy language. It is alleged that, in response, the applicant assaulted the victim with a tangiya, causing a head injury. The victim was thereafter admitted to Anant Hospital, Raipur, where he remained under treatment from 20.11.2025 to 27.11.2025. On the basis of the said incident, the police registered the FIR against the applicant for the aforesaid offence. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the injury sustained by the victim is though grievous in nature, but there is no internal damage has been caused to the victim. The applicant is in jail since 20.11.2025, the applicant has no criminal antecedent, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. He further submits that the present applicant allegedly assaulted the victim, Khilawan Nishad with an axe



(Tangiya) on his head, causing grievous injury, when the victim reached near his house, therefore, the applicant is not entitled for grant of bail.

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, nature and gravity of offence, period of detention of the applicant since 20.11.2025, the fact that though the applicant is alleged to have assaulted victim, Khilawan Nishad with an axe (Tangiya) on his head, causing grievous injury, but considering the fact that no internal injury has been caused to the victim and no X-Ray examination was conducted, further the applicant has no criminal antecedent and charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Khemraj Sagarvanshi**, involved in Crime No. 798/2025 registered at Police Station Kharora District- Raipur (C.G.) for the offence punishable under Sections 296, 115(2), 351(2), 109 of 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.

(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 for necessary information and compliance.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE