



2026:CGHC:13801

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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 2707 of 2026

1 - Semendra Yadav S/o Samaruram Yadav Aged About 40 Years R/o Village Morid, Jobapara, P.S. Utai, Post Dundera, District Durg, Chhattisgarh.

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Bhilai-3, District Durg, Chhattisgarh.

... **Respondent(s)**

For Petitioner(s) : Mr. Parth Kumar Jha, Advocate

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board.

23.03.2026

- 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.508/2025 registered at Police Station Bhilai - 03, District : Durg (C.G.) for the offence under Sections 281, 125-A, 125-B & 105 of BNS.
- 2.** The case of the prosecution, in brief, the present applicant was driving a Hiwa vehicle bearing registration No. CG 04 LS 9146 in a rash and negligent manner and at an excessive speed, and collided with a motorcycle being ridden by one Sumit Banjare, as



a result of which two children, namely Bhumika Banjare and Sumit Dhiwar, who were travelling on the said motorcycle, sustained grievous injuries and died on the spot, while another child, namely Sanoj Sonkar, sustained injuries; that, on the basis of a written complaint lodged by the father of deceased Bhumika Banjare, FIR No.508/2025 was registered against the present applicant for offences punishable under Sections 281, 125-A, 125-B and 105 of the BNS; and that, during the course of investigation, the applicant was arrested on 30.01.2026 and, upon completion of investigation, the charge-sheet (challan) has been filed before the competent Court. Hence, this bail application.

3. Learned counsel for the appellant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant was driving his vehicle at a controlled and reasonable speed, and the rider of the motorcycle, namely Sumit Dhiwar, negligently dashed into the rear side of the applicant's vehicle; thus, there was no intention on the part of the applicant to cause any such accident. It is also submitted that the applicant holds a valid driving licence and the vehicle in question was duly insured at the time of the alleged incident. The applicant has been in judicial custody since 30.01.2026. It is further submitted that the applicant is a permanent resident of Morid Jobapara District Durg C.G., having both movable and immovable properties, and there is no likelihood of his absconding or tampering with the prosecution witnesses. The applicant



undertakes to furnish adequate surety and to abide by all the terms and conditions that may be imposed by this Hon'ble Court while granting bail.

4. On the other hand, the learned State counsel vehemently opposed the bail application of the present applicant and submitted that the charge sheet has been submitted before the competent Court. She further contended that the applicant has been rightly implicated on the basis of material available on record and that the allegations disclose the applicant's involvement in the offence. It is submitted that the nature and gravity of the offence are serious, and at this stage, the claim of false implication cannot be accepted. If the applicant may be released on bail, there exists a likelihood of the applicant influencing or tampering with prosecution witnesses and interfering with the course of justice. Accordingly, it is prayed that the present applicant is not entitled to be granted regular bail in this 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, particularly that the applicant was driving the vehicle and the motorcycle had collided with the rear side of the offending vehicle, thereby *prima facie* indicating absence of any intention on the part of the applicant to cause the accident, and further considering that the applicant has been in custody since 30.01.2026. He has no



previous criminal antecedents and the charge-sheet has been submitted before the competent Court and the conclusion of the trial may take some more time, therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Semendra Yadav**, involved in Crime No. 508/2025, registered at Police Station : Bhilai -03, District- Durg (C.G.) for the offence punishable under Sections 281, 125-A, 125-B & 105 of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing **personal bond** with **two local 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 misuse the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS is issued and the applicant fail 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice