



2026:CGHC:15386



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2978 of 2026

Sumeet Nayak S/o Mulayam Singh Aged About 18 Years R/o Ward No. 3, Rajhara, Police Station Rajhara, District Balod Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Rajhara, District Balod Chhattisgarh

... Non-applicant(s)

For Applicant(s) : Mr. Anil Kumar Gulati, Advocate.

For Non-applicant/State(s) : Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

02.04.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 392/2025 registered at Police Station Rajhara, District- Balod (C.G.), for the offence punishable under Sections 109(1), 296, 351(3) read with Section 3(5) of Bhartiya Nyay Sanhita.
2. The prosecution case, in brief, is that the FIR was lodged by the complainant, Chumman Thakur, wherein it has been alleged that on 18.12.2025 at about 03:00 PM, while he was sitting at the School



Ground, the present applicant along with his associates arrived at the spot and threatened the complainant to withdraw the earlier FIR lodged against him. When the complainant refused to withdraw the said complaint, the applicant became aggressive and attempted to assault him. However, the complainant managed to evade the attack. It is further alleged that upon intervention by Narayan Netam and Ankit Yadav, who came forward to rescue the complainant, the applicant, armed with a knife, assaulted both of them. As a result of the said assault, Narayan Netam sustained grievous injuries, whereas Ankit Yadav also suffered injuries, the nature of which could not be conclusively determined at that time, as the X-ray report was awaited. The aforesaid acts of the applicant clearly demonstrate his violent conduct and intention to cause serious harm. Based upon such, aforesaid offences were registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that, as per the prosecution case, the applicant is alleged to have assaulted two injured persons with a knife, as a result of which they sustained injuries. It is stated that the injured, namely Narayan Netam, sustained an injury on his abdomen, while the other injured, Ankit Yadav, sustained injuries on his right thigh and right hand. Learned counsel further submits that the present applicant and the injured persons, namely Ankit Yadav and Narayan Netam, have sworn affidavits before the learned trial Court stating that they have no objection if the applicant is released on



bail. The said fact is also reflected in the order sheets of the trial Court at pages 13 and 14 of the bail application. It is also submitted that the applicant has been in judicial custody since 18.12.2025 and that the charge-sheet has already been filed before the competent Court. With regard to the criminal antecedents of the applicant, learned counsel submits that the applicant has two antecedents, which have been duly explained in paragraph 4(A) of the bail application. Considering that the trial is likely to take a considerable period of time for its conclusion, he prays for grant of bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the applicant has committed a serious and grave offence. It is further submitted that the applicant assaulted the injured persons with a knife, causing grievous injuries to one of the victims, which clearly reflects his violent conduct and criminal intent. She further submits that despite having criminal antecedents, the applicant has again indulged in similar unlawful activities, which shows his propensity to commit offences. It is also contended that the affidavits allegedly filed by the injured persons stating no objection to the grant of bail do not dilute the gravity of the offence, as the same is an offence against society at large. It is further argued that, if released on bail, there is a likelihood that the applicant may influence the witnesses and tamper with the prosecution evidence. Therefore, considering the nature and gravity of the offence, as well as the conduct of the applicant, she prays for rejection of the bail application.



5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the submissions advanced by learned counsel for the parties, particularly the fact that, as per the prosecution case, the present applicant is alleged to have assaulted the injured persons, namely Narayan Netam and Ankit Yadav, with a knife, as a result of which Narayan Netam sustained an injury on his abdomen and Ankit Yadav sustained injuries on his right thigh and right hand, however, it is also noteworthy that both the injured persons have voluntarily entered into a compromise with the applicant and have sworn affidavits before the learned trial Court stating that they have no objection if the applicant is released on bail, which is duly reflected in the order sheets of the trial Court, further considering that the applicant is in judicial custody since 18.12.2025, the charge-sheet has already been filed and no further custodial interrogation is required and that the trial is likely to take considerable time for its conclusion, this Court is of the considered view that it is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let the applicant, **Sumeet Nayak**, involved in Crime No. 392/2025 registered at Police Station Rajhara, District- Balod (C.G.), for the offence punishable under Sections 109(1), 296, 351(3) read with Section 3(5) of Bhartiya Nyay Sanhita, 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 them 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 Bharatiya Nyaya Sanhita 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 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**