



2026:CGHC:19148



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2670 of 2026

1 - Priyanshu @ Khemu Sahu S/o Chumman Sahu Aged About 22 Years,

2 - Chumman @ Dharmendra Sahu, Aged About 45 Years, S/o Anand Ram Sahu,

Both R/o Village Teka, Police Station- Rajim, District- Gariyaband (C.G.)

... Applicants

versus

State Of Chhattisgarh Through Station House Officer, Police Station- Rajim,
District- Gariyaband (C.G.)

... Respondent

For Applicants : Shri Krishna Kumar Dewangan, Advocate.

For : Ms. Monika Thakur, PL.

Respondent/State

For objector : Shri S.P. Sahu, Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

25/04/2026

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 applicants who have been arrested in connection with Crime No.09/2026 registered at Police Station Rajim, District-Gariyaband



(C.G.) for the offence punishable under Sections 296, 115(2), 351(3), 118(2), 3(5) of Bhartiya Nyay Sanhita, 2023.

2. Case of the prosecution, in brief, is that the complainant Tukeshwar Sahu lodged report at Police Station, Rajim alleging therein that on 03.01.2026 at around 7.30 PM, the complainant and his friends were sitting, at that time, the applicants came there, abused him with filthy language and assaulted with him with the help of hand, fist and knife. On the basis of said report, the offence U/s 296, 115(2), 351(3), 3(5) of BNS were registered against the applicants and subsequently the offence U/s 118(2) of BNS has been added. Hence this bail application.
3. Learned counsel for the applicants submitted that there are cross reports of the incident, both the sides have received injuries. He would submit that the charge sheet has been filed in this case, the applicants are in jail since 06/03/2026 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicants.
4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. Learned counsel for the objector submits that he has no objection for grant of bail to the applicant.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, further the fact that there are cross reports of the incident & both the sides have received injuries, period of detention of the applicants since 06/03/2026, charge sheet has been filed and also



considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicants are entitled to be released on bail in this case.

8. Accordingly, the bail application is allowed and it is directed that the Applicants- **Priyanshu @ Khemu Sahu & Chumman @ Dharmendra Sahu**, involved in Crime No.09/2026 registered at Police Station Rajim, District-Gariyaband (C.G.) for the offence punishable under Sections 296, 115(2), 351(3), 118(2), 3(5) of Bhartiya Nyay Sanhita, 2023, be released on bail on each of them furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance



with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them 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