



2026:CGHC:13787



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2736 of 2026

Raja Markam S/o Shri Bhagirati Markam, Aged About 30 Years R/o
Ward No. 3 Hirri, Thana- Hirri, Distt.- Bilaspur (C.G.)

...Applicant

versus

The State Of Chhattisgarh Through Station House Officer, Police
Station Bilha, Distt. Bilaspur (C.G.)

... Respondent

For Applicant : Shri Sunil Sahu, Advocate.
For : Ms. Sameeksha Gupta, PL.
Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/03/2026

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.357/2025 registered at Police Station Bilha, Distt. Bilaspur (C.G.)
for the offence punishable under Sections 296, 115 (2), 351(3), 109(1),
238, 103, 3(5) of BNS 2023 (As per charge sheet).



2. Case of the prosecution, in brief, is that the complainant Yogeshwar Kaushik lodged the report at Police Station Bilha on 17.08.2025 against 4 persons including the present applicant with the averment that on 16.08.2025 at about 11.00 PM Somu @Gitesh Markam has informed through telephone that some dispute has been arose between applicant Raja Markam and his companion with Devendra Kaushik near Rajendra Betel shop Mahaveer Petrol Pump so the complainant went to spot and seen that the injured was lying unconscious, taken him to Apollo Hospial from where injured was referred to DK Hospital Raipur where he is admitted for treatment. Tthe further averment in the complaint is that he saw the CCTV Photos near Petrol Pump and came to know that the accused Raja Markam has caused the injury by club, Kishan Sahu, Hitesh Manikpur and Rehan @ Pintu has caused the injury by hand and fist so on the basis of the said report thana Police registered the offences mentioned above and during treatment injured died therefore the section 103 of BNS is added and the applicant was arrested on 10.11.2025 and after completing the investigation charge sheet is filed before JMFC Bilha from where the case is committed to the Session Court Bilaspur.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He would submit that alleged offence had taken place on 16/08/2025 and the applicant was arrested, his memorandum statement was recorded on 9/11/2025 and the club (danda) used in commission of offence has been seized on 17/08/2025 itself therefore from the memorandum nothing has been recovered from the applicant. He would submit that co-accused Kishan Kumar Sahu has been granted anticipatory bail by this court in MCRCA



No.1420/2025 on 13/11/2025, co-accused Hitesh Manikpuri has been granted anticipatory bail by this court in MCRCA No.1836/2025 on 24/11/2025 and co-accused Pintu Tandon @ Rehan has been granted regular bail by this Court in MCRC No.7391/2025 on 13/11/2025. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 10/11/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and she would submit that charge sheet has been filed in this case before the competent court but she do not dispute the fact that co-accused persons have been granted bail by this court.
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, submission of learned counsel for the parties, materials available on record, further considering the fact that co-accused Kishan Kumar Sahu has been granted anticipatory bail by this court in MCRCA No.1420/2025 on 13/11/2025, co-accused Hitesh Manikpuri has been granted anticipatory bail by this court in MCRCA No.1836/2025 on 24/11/2025 and co-accused Pintu Tandon @ Rehan has been granted regular bail by this Court in MCRC No.7391/2025 on 13/11/2025, period of detention of the applicant since 10/11/2025, 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 applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the



Applicant- **Raja Markam**, involved in Crime No.357/2025 registered at Police Station Bilha, Distt. Bilaspur (C.G.) for the offence punishable under Sections 296, 115 (2), 351(3), 109(1), 238, 103, 3(5) of BNS 2023, 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.

8. 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