



2026:CGHC:13797

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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2716 of 2026**

1 - Manish Baghel S/o Umesh Baghel Aged About 30 Years R/o Nayapara, Ward No. 5, Post And Distt. Mahasamund, Chhattisgarh, Present R/o Village Amleshwar, Thana Amleshwar, Distt. Durg, Chhattisgarh.

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Police Station Jamul, Distt. Durg, Chhattisgarh.

... Respondent(s)

For Petitioner(s) : Mr. Pragalbha Sharma, Advocate

For Respondent(s) : Mr. Saumya Rai, Dy. G.A.

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 (in short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 918/2025 registered at Police Station - Jamul, District Durg, (C.G.) for the offence punishable under Sections 115(2), 85, 64(2)(m), 138, 351(3) and 89 of Bhartiya Nyaya Sanhita, 2023.
2. Case of the prosecution, in brief, is that the complainant (mother



of the victim) lodged a report alleging that the victim had been acquainted with co-accused Hemant Kumar Agrawal since the year 2023, and that both of them had solemnized marriage at Arya Samaj, Raipur, and were residing together as husband and wife. It is further alleged that the victim was not willing to continue residing with the co-accused; however, he kept her with him on the pretext of inducement. Thereafter, approximately one month prior to the incident, the victim left Raipur and reached Sakhi Centre, Durg, from where the complainant brought her back home about 15 days prior to the incident. It is further alleged that on 19.11.2025 at around 10:30 AM, co-accused Hemant Agrawal, along with his associates, arrived in two vehicles at the complainant's residence, and after allegedly assaulting her, forcibly took the victim with them to Raipur (C.G.). On the basis of these allegations, an FIR was registered at Police Station Jamul, District Durg (Chhattisgarh), against co-accused Hemant Agrawal and others for offences punishable under Sections 115(2) and 85 of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the offence in question. It is submitted that the main accused in the crime in question is stated to be Hemant Kumar Agrawal, the case of the applicant is distinguishable from that of the co-accused Hemant, and so far as other co-accused namely Arun Sagarwanshi, has already been granted bail by this Court in



MCRC No. 1673 of 2026 on 18.03.2026. It is further submitted that the applicant is in jail since 15.01.2026, charge-sheet has already been filed, and the trial is likely to take considerable time for its conclusion. Therefore, he prays that on the ground of parity the applicant may be enlarged on bail.

4. On the other hand, learned State Counsel appearing for the respondent/State opposes the bail application but he could not dispute the fact that the identically situated co-accused Arun Sagarwanshi has already been enlarged on bail, and the case of the applicant is distinguishable from that of the co-accused Hemant, who is stated to be main accused in the crime in question.
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, and the fact that the main accused in the crime is question is stated to be Hemant Kumar Agrawal, the case of the applicant is distinguishable from that of the co-accused Hemant, and so far as other co-accused namely Arun Sagarwanshi, he has already been granted bail by this Court in MCRC No. 1673 of 2026 on 18.03.2026, the charge-sheet has been filed in the present case, and the applicant is in jail since 15.01.2026, the conclusion of trial shall take quite long time, hence, this Court is of the opinion that the applicant is entitled to be released on bail on the ground of



parity.

7. Let the Applicant – **Manish Baghel**, involved in Crime No. 918/2025 registered at Police Station - Jamul, District Durg, (C.G.) for the offence punishable under Sections 115(2), 85, 64(2)(m), 138, 351(3) and 89 of Bhartiya Nyaya Sanhita, 2023, be released on bail on furnishing **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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice