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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2726 of 2026

Leeku @ Lkeshwar Sahu S/o Dwarika Sahu Aged About 25 Years R/o Khurenti, Ward No. 02, Boring Chowk, P.S. Fingeshwar, District Gariyabandh Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Police Station Rajim, District- Gariyabandh, Chhattisgarh.

... Respondent

For Applicant : Shri Anshul Tiwari, Advocate.

For : Ms. Ritika Verma, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/03/2026

1. This is the second 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.79/2025 registered at Police Station Rajim, District: Gariyabandh, Chhattisgarh for the offence punishable under Sections 74, 296, 351(3), 115(2), 108, 309(4), 3(5) of Bharatiya Nyaya Sanhita, 2023.



2. Case of the prosecution, in brief, is that the allegation against the applicant herein is that on the date of incident the applicant along with other juveniles abused the deceased Tikeshwar Sahu and Tomeshwari @ Tameshwari Sahu, and intimidated and assaulted them due to which the said persons committed suicide by hanging 3 days after the incident. It is also an allegation that the applicant and his companions have looted a sum of Rs. 20 Lakhs, whereas during investigation, no evidence of loot was found. After information of suspicious death by the father of the deceased, an FIR bearing crime no. 79/25 for the alleged offence u/s 74, 296, 351(3), 115(2), 108, 309(4), 3(5) of the BNS was registered against the applicant and the other 2 minors.
3. Learned counsel for the applicant submits that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 22/09/2025 in MCRC No.6643/2025. He would submit that the complainant of the case has given a different story with the prosecution case in his deposition before the trial court. It is stated that out of 33 prosecution witnesses only 3 prosecution witnesses have been examined, applicant is languishing in jail since 06/03/2025 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. She would submit that the applicant has no criminal antecedents.
5. I have heard learned counsel for the parties and perused the case



diary.

6. From perusal of the records, it transpires that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 22/09/2025 in MCRC No.6643/2025. Considering the fact that out of 33 prosecution witnesses only 3 prosecution witnesses have been examined, applicant has no criminal antecedents, he is languishing in jail since 06/03/2025 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 second bail application is allowed and it is directed that the Applicant- **Leeku @ Lkeshwar Sahu**, involved in Crime No.79/2025 registered at Police Station Rajim, District: Gariyabandh, Chhattisgarh for the offence punishable under Sections 74, 296, 351(3), 115(2), 108, 309(4), 3(5) of Bharatiya Nyaya Sanhita, 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



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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 concerned for necessary information and compliance.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE