



2026:CGHC:15375



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2777 of 2026

- Dhirendra Vaishnav S/o Shri Fuldass Vaishnav Aged About 26 Years
R/o Village Bahatarai Bhukamp Atal Awas Bilaspur, Tehsil And Distt.
Bilaspur, Chhattisgarh.

... Applicant(s)

versus

- State of Chhattisgarh Through The Station House Officer, Sarkanda,
Distt. Bilaspur, Chhattisgarh.

... Respondent(s)

(Cause title is taken from Case Information System)

 For Applicant(s) : Mr. U.K.S. Chandel, Advocate

 For Respondent(s) : Ms. Anusha Naik, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

02.04.2026

- 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. 1437/2024 registered at Police Station- Sarkanda, District - Bilaspur (C.G.) for the offences punishable under Sections 188 and 223 of Bhartiya Nyay Sanhita, 2023 and 14 and 15 of Chhattisgarh State Security Act, 1990.
- The first bail application filed by the applicant was rejected by this Court in MCRC No.1039 of 2025 vide order dated 05.02.2025.



3. Case of the prosecution, in brief, is that in case no 29/2023, vide order dated 04.04.2024 was issued under sections 3-A, 3-B, 5-A and 5-B of the Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005, prohibiting the applicant from entering the revenue districts of Janjgir- Champa, Korba, Mungeli, and Gourela-Pendra-Marwahi for a period of 6 months. However it is alleged that between 07.07.2024 and 03.09.2024, the applicant entered these districts and committed two offences i.e. at Police Station Sarkanda, registered as Crime No.753/2024 U/S 296, 351(2), 115(2) and 119(1) of B.N.S., and at Police Station Janjgir, registered as Crime No. 677/2024 and 679/2024 U/S 303(2) of B.N.S. Consequently, applicant has been arrested by Police of Police Station Sarkanda, District Bilaspur (C.G.) on 28.11.2024 in connection with Crime No. 1437/2024 for an alleged offence punishable Under Sections 188 and 223 of B.N.S. 14 and 15 of Chhattisgarh State Security Act, 1990 is arrested and charge sheet has been filed against the applicant for the aforementioned offences.
4. It has been argued by learned counsel for the applicant that the applicant is innocent and has falsely been implicated in this case. It is further submitted by the learned counsel for the applicant that this is the second bail application of the applicant. The first bail application filed by the applicant was rejected by this Court in MCRC No.1039 of 2025 vide order dated 05.02.2025 on the ground that applicant has 22 criminal antecedent from the years 2015 to 2024, which shows that applicant is a habitual offender. He further submitted that out of 17 prosecution witnesses, statement of 03 prosecution witnesses have been examined and he is languishing in jail since 28.11.2024 and trial has not yet concluded. Further, the



charge-sheet has already been filed. He also contended that the family members of the applicant have failed to provide details regarding his criminal antecedents. Therefore, he prays for grant of regular bail to the applicant.

5. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that the charge-sheet has already been filed.
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 and the fact that this is a first bail application filed by the applicant was rejected by this Court in MCRC No.1039 of 2025 vide order dated 05.02.2025, further the fact that out of 17 prosecution witnesses, statement of 03 prosecution witnesses have been examined and the applicant is languishing in jail since 28.11.2024 and trial has not yet concluded. Further, the charge-sheet has already been filed, this Court is of the view that the applicant is entitled to be released on bail in this case
8. Accordingly, the second bail application of the applicant is allowed. Let the applicant – **Dhirendra Vaishnav**, involved in Crime No. 1437/2024 registered at Police Station- Sarkanda, District - Bilaspur (C.G.) for the offences punishable under Sections 188 and 223 of Bhartiya Nyay Sanhita, 2023 and 14 and 15 of Chhattisgarh State Security Act, 1990, be released on bail on their furnishing **personal bond** with **two sureties**, out of which one of the them should be a family member 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 229-A of the Indian Penal Code.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 82 Cr.P.C. 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 174-A of the Indian Penal Code.

(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 313 Cr.P.C. 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 concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Vaishali