



2026:CGHC:21020



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3248 of 2026

Sheikh Farukh S/o Sheikh Abdul Aged About 32 Years R/o Santoshi Nagar,
P.S. Tikrapara, District - Raipur, Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Tikrapara,
District Raipur, Chhattisgarh.

... Non-Applicant

For Applicant	: Mr. Bharat Lal Sahu, Advocate.
For Non-Applicant/State	: Mr. Saurabh Sahu, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

05.05.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 844/2024 registered at Police Station -Tikrapara, District Raipur, (C.G.), for the offences punishable under Sections 119(1), 296, 351(2), 115(2) and 118(1) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act.
2. As per the prosecution case, the complainant lodged a complaint at the concerned police station alleging, inter alia, that on the date of the incident, a minor dispute arose between the applicant and the complainant regarding the demand for money for consuming liquor. It is further alleged that thereafter, the applicant assaulted the complainant with a weapon and fists and also used filthy language, as a result of which



the complainant sustained simple injuries. Based on the said complaint, the concerned police registered an FIR against the applicant for the commission of offences under Sections 23, 37, 119(1), 296, 351(2), 115(2), and 118(1) of the Bharatiya Nyaya Sanhita (BNS).

3. It is submitted by the learned counsel for the applicant that the present applicant is innocent and has been falsely implicated in the aforesaid case. It is further submitted that, at the time of the alleged incident, there was merely a minor dispute between the applicant and the complainant regarding the demand for consumption of liquor. The applicant neither assaulted the injured person nor committed any of the offences as alleged by the prosecution. Counsel further submits that the police have not seized any incriminating article from the possession of the applicant, and that his arrest has been made solely on the basis of suspicion and a memorandum statement, which lacks substantive evidentiary value. It is also submitted that the complainant sustained only simple injuries. It is further contended that the charge-sheet has already been filed. Although the applicant has three prior criminal antecedents, all such cases have been disposed of, and the same have been duly explained in the covering memo filed along with the present bail application. The applicant has been in judicial custody since 04.11.2024. In light of the aforesaid facts and circumstances, it is prayed that the applicant be released on regular bail.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has already been filed in the present case. He further submits that the applicant has criminal antecedents, which have been explained through a covering memo filed along with the present bail application.
5. I have heard learned counsel for the parties and perused the case diary.



6. Taking into consideration the facts and circumstances of the case, the nature of allegations, and the material available on record, particularly the fact that the applicant is alleged to have assaulted the injured person by means of a weapon and fists, resulting in simple injuries, and further considering that the charge-sheet has already been filed, that the applicant has three previous criminal antecedents which have been duly explained through a covering memo filed along with the present bail application, and that the applicant has been in custody since 04.11.2024, this Court is of the view that the present applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is **allowed**. Let the Applicant – **Sheikh Farukh**, involved in Crime No. 844/2024 registered at Police Station -Tikrapara, District - Raipur, (C.G.), for the offences punishable under Sections 119(1), 296, 351(2), 115(2) and 118(1) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act, be released on bail on his 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 she 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 her counsel. In case of her absence, without sufficient cause,



the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her, 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 her 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 forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**