

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3431 of 2026**

Keshwar Yadav S/o Late Girdhari Ram Aged About 67 Years R/o Village
Thethetangar, P.S. Kunkuri, District Jashpur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Kunkuri, District Jashpur (C.G.)

...Non-applicant

For Applicant : Mr. Sumit Shrivastava, Advocate
For Non-applicant/ State : Ms. Ritika Verma, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

11.05.2026

1. This is the first 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.37/2026 registered at Police Station - Kunkuri, District Jashpur (C.G.), for the offence punishable under Sections 296, 115(2), 351(2), 331(5), 118(1) 3(5) of BNS and



Section 25 and 27 of arms act and Section 3/181, 5/180 of motor vehicle Act.

2. The prosecution case, in brief, is that the complainant, namely Chandan Ram Yadav, lodged a report alleging that a social function relating to the marriage proposal of his son was organized on 05.02.2026, in which the present applicant was not invited, due to which the applicant allegedly developed enmity against the complainant. It is alleged that on 22.02.2026, the applicant assaulted the complainant with a knife causing injury to his hand, which matter was subsequently amicably settled in the village. It is further alleged that on 24.02.2026, the applicant along with co-accused Jagatpal and Chaman Yadav arrived in an Ertiga car and unlawfully entered the complainant's house armed with deadly weapons like sword and tabal, abused the complainant party, threatened them with dire consequences and assaulted the family members. On the basis of the said allegations, offences under Sections 296, 115(2), 351(2), 331(5), 118(1) and 3(5) of the Bharatiya Nyaya Sanhita, Sections 25 and 27 of the Arms Act and Sections 3/181 and 5/180 of the Motor Vehicles



Act were registered against the applicant and co-accused persons and investigation was taken up.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case arising out of a family dispute between close relatives and no specific overt act has been attributed to him. It is submitted that the injuries sustained by the injured persons are simple in nature and no injury has been caused by the alleged seized weapons, which have been falsely shown only to attract the provisions of the Arms Act. It is further submitted that though certain previous criminal cases have been mentioned against the applicant in Para 4-A, several of them have already been disposed of. It is also submitted that the co-accused persons have already been enlarged on bail by the learned Trial Court and the applicant, who is aged about 67 years and in custody since 24.02.2026, is also entitled to be released on bail.
4. Per contra, learned State counsel opposes the bail application and submits that sufficient material is available on record *prima facie* showing the involvement of the applicant in the commission of the alleged offence. It is further submitted that the applicant, along with other co-accused persons, unlawfully



entered the house of the complainant armed with deadly weapons and assaulted the complainant party, thereby creating terror and threatening their lives. Learned State counsel further submits that several criminal antecedents of the applicant have been mentioned in Para 4-A, which clearly reflects his criminal propensity, and merely because some cases have been disposed of would not dilute the gravity of the present offence. Therefore, considering the nature and seriousness of the allegations, learned State counsel submits that the applicant is not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of allegations levelled against the applicant, the co-accused persons have already been enlarged on bail by the learned Trial Court, and further considering that although the charge-sheet has been filed and the applicant has several previous criminal antecedents, many of those cases have already been disposed of, coupled with the fact that the applicant is aged about 67 years and is in judicial custody



since **25.02.2026**, hence, I am inclined to allow the benefit of regular bail to the applicant.

7. Let applicant, **Keshwar Yadav** involved in Crime No.37/2026 registered at Police Station – Kunkuri, District Jashpur (C.G.), for the offence punishable under Sections 296, 115(2), 351(2), 331(5), 118(1) 3(5) of BNS and Section 25 and 27 of arms act and Section 3/181, 5/180 of motor vehicle Act, 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 them 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 Bharatiya Nyaya Sanhita 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 Section 209 of 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

Arpan