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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3677 of 2026

Harish Sahu @ Hari Son Of Shiv Shankar Sahu, Aged About 20 Years
Resident Of Rani Road Shiv Mandir Pachrighat, Korba, P.S. - Kotwali,
District-Korba (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police
Station-Banki Mongra, District-Korba (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Anil Tripathi, Advocate.

For Respondent(s) : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/04/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 20/2026 registered at Police Station Banki Mongra, District-Korba (C.G.) for the offence punishable



under Sections 308(2), 324(2), 115(2), 3(5) of Bharatiya Nyaya Sanhita (for short 'BNS').

2. Case of the prosecution, in brief, is that on 26.01.2026 at about 2:00 AM, the applicant/accused along with three co-accused persons, namely Vinod Sidar, Arjun Kewat and Shivam Nirmalkar, allegedly trespassed into the trailer bearing registration No. CG 04P/5745 of the victim near 04 Number Bypass Road, Banki Mongra, and boarded the vehicle. It is alleged that all the accused persons demanded money from the victim and threatened to assault him upon refusal. During the course of the incident, when the victim resisted and pushed them, the accused persons fell from the trailer. Upon the victim raising alarm, his friend Sunil Yadav and other local residents reached the spot and apprehended the present applicant, while the remaining co-accused persons fled away on a motorcycle bearing registration No. CG 12AL/9250 (CD Deluxe). The applicant was thereafter handed over to the police and arrested. On the basis of the said incident, a case has been registered against the applicant and other co-accused persons for offences punishable under Sections 308(2), 324(2), 115(2) and 3(5) of the BNS. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the applicant is in jail



since 27.01.2026 and has no criminal antecedent, further charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. She further submits that the applicant in connivance with other co-accused persons, unlawfully trespassed into the victim's trailer during night hours, demanded money and threatened the victim with assault upon refusal. Therefore, the applicant is not entitled for grant of bail.
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, nature and gravity of offence, period of detention of the applicant since 27.01.2026, the fact that though the applicant in connivance with other co-accused persons, unlawfully trespassed into the victim's trailer during night hours, demanded money and threatened the victim with assault upon refusal, but considering the fact that the applicant has no criminal antecedent and charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Harish Sahu @ Hari**, involved in Crime No. 20/2026 registered at Police Station Banki Mongra, District-Korba



(C.G.) for the offence punishable under Sections 308(2), 324(2), 115(2), 3(5) of BNS, 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 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



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accordance with law.

9. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Akhil