



2026:CGHC:21209

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4206 of 2026**

Durgesh Pandey @ Satyam Pandey S/o Laxmikant Pandey Aged About 24 Years R/o Leelapur, Post Sahalganj, P.S. Leelapur, District Pratapgarh (U.P.) Hall Location Krishna Nagar Korba, District Korba Chhattisgarh

... Applicant(s)**versus**

State Of Chhattisgarh Through P.S. Katghora, District Korba Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Vikas Kumar Pandey, Advocate.

For Respondent(s) : Mr. S.S. Baghel, Government Advocate.

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

06/05/2026

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. 340/2025 registered at Police Station Katghora, District Korba (C.G.) for the offence punishable under Sections 109(1), 61(2), 3(5) of BNS and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that on 24.09.2025 at about 9:00 PM, the complainant, Afreen Bano, was present at her residence in village Kasaniya when she heard a loud noise. Upon coming out, she noticed an unknown person with his face covered by a red scarf, carrying a firearm. When the family attempted to close the door, the said person fired a shot, which hit the gate of the house. On the basis of the said incident, a report was lodged and an FIR was registered against the accused persons. During investigation, the police arrested a co-accused person in connection with the offence. It is further stated that the matter is sensitive in nature, and therefore, the FIR is not reflected on the public portal. 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 three of the identically situated co-accused persons, namely, Ashish Kumar Jangde, Bablu Das and Shakti Singh @ Shakti Das have already been granted bail by this Court vide orders dated 12.02.2026, 19.02.2026 and 27.02.2026 passed in MCRC Nos.1544 of 2026, 1775 of 2026 and 2017 of 2026, respectively. He also submits that



no injury has been caused to anyone. The applicant is in jail since 25.09.2025, the applicant has no criminal antecedent, 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. He further submits that the allegation against the present applicant is that he was involved in the incident wherein an unidentified person, with his face covered and armed with a firearm, came to the complainant's house and fired a shot at the gate, thereby creating fear and endangering the safety of the occupants, and that the applicant is connected with the said act as part of the accused persons. However, could not dispute the fact that three of the identically situated co-accused persons have already been granted bail by this Court.
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 25.09.2025, the fact that though the allegation against the present applicant is that he was involved in the incident wherein an unidentified person, with his face covered and armed with a firearm, came to the complainant's house and fired a shot at the gate, thereby creating fear and endangering the safety of the



occupants, but considering the fact that no injury has been caused to anyone and three of the co-accused persons, namely, Ashish Kumar Jangde, Bablu Das and Shakti Singh @ Shakti Das have already been granted bail by this Court vide orders dated 12.02.2026, 19.02.2026 and 27.02.2026 passed in MCRC Nos.1544 of 2026, 1775 of 2026 and 2017 of 2026, respectively, the case of present applicant is identical to that of the said co-accused persons, further 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-**Durgesh Pandey @ Satyam Pandey**, involved in Crime No. 340/2025 registered at Police Station Katghora, District Korba (C.G.) for the offence punishable under Sections 109(1), 61(2), 3(5) of BNS and Sections 25 & 27 of the Arms Act, be released on bail on his furnishing a **personal bond** with **two local 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 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**