



2026:CGHC:29392



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4005 of 2026****1 - Natthuram Yadav S/o Late Kashiram Yadav Aged About 58 Years****R/o Gohdidipa P.S. Tamnar Dist- Raigarh (C.G.)****... Applicant(s)****versus****1 - State of Chhattisgarh Through- P.S. Tamnar Dist- Raigarh (C.G.)****... Respondent(s)**

For Applicant(s)	:	Mr. Ashutosh Biswas, Advocate
For Respondent(s)/State	:	Mr. Sourabh Sahu, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****13.07.2026**

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. 26/2026 registered at Police Station- Tamnar, District- Raigarh (C.G.) for the offence punishable under Sections 296, 351(3),



115(2), 117(2), 3(5) and 109(1) of BNS.

2. The prosecution case, in brief, is that on 06.02.2026, the complainant, Sushila Yadav, lodged a First Information Report at Police Station Tamnar, District Raigarh, alleging that at about 8:00 a.m., her son, Alok Yadav, was standing near the water tank on the main road at Village Gohridipa, Tamnar, when, owing to previous enmity, the accused persons, namely, Nathu Yadav alias Dhola and Santosh Yadav, abused him in filthy language and threatened to kill him. It is alleged that Santosh Yadav assaulted Alok Yadav with a wooden stick, while Nathu Yadav assaulted him with fists, causing injuries to the back of his head and near his ear, resulting in bleeding and pain. Upon hearing about the incident, the complainant and her elder son, Basant Yadav, reached the spot and intervened. The complainant further alleged that on an earlier occasion also, the accused persons had trespassed into her house and assaulted her, and that she had informed the neighbours and her younger son, Akash Yadav, about the incident over the phone. On the basis of the said report, Crime No. 26/2026 was registered at Police Station Tamnar for offences punishable under Sections 296, 115(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, offences punishable under Sections 117(2) and 109(1) of the Bharatiya Nyaya Sanhita, 2023 were also added.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is



contended that, after the filing of the charge-sheet, the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023 was subsequently added. It is further submitted that, as per the prosecution case itself, the applicant is alleged to have assaulted the injured only with hands and fists, whereas the co-accused, who is the applicant's son, is alleged to have assaulted the injured with a wooden stick (danda). Learned counsel further submits that the applicant has no criminal antecedents and has been in judicial custody since 31.03.2026. It is also submitted that the conclusion of the trial is likely to take considerable time. Therefore, it is prayed that the applicant be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that considering the nature and gravity of the allegations and the material available on record, the applicant does not deserve the concession of bail. It is, therefore, prayed that the bail application be rejected.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the nature of the allegations, the specific role attributed to the applicant, the fact that as per the prosecution case, the applicant is alleged to have assaulted the injured only with hands and fists, whereas the co-accused is alleged to have assaulted the injured with a wooden stick, the applicant has no criminal antecedents, the charge-sheet has already been filed, the applicant has been in judicial custody since 31.03.2026, and the



conclusion of the trial is likely to take considerable time, this Court is inclined to extend the benefit of bail to the applicant. Accordingly, the bail application is allowed.

7. Let the Applicant –**Natthuram Yadav** involved in Crime No.- 26/2026 registered at Police Station- Tamnar, District- Raigarh (C.G.) for the offence punishable under Sections 296, 351(3), 115(2), 117(2), 3(5) and 109(1) of BNS, be released on bail on 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 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



2026:CGHC:29392

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.

8. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial expeditiously from the receipt of this order in accordance with law, if there is no legal impediment.
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**