



2026:CGHC:21396



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4251 of 2026**

Kishan Banjare Urf Kishor S/o Sudhir Ram Banjare Aged About 26 Years R/o
H.No. 342 Ke Pas Bombay Awas, Jawahar Nagar, P. S. Vaishali Nagar, Bhilai,
Durg (C.G.)

... Applicant**versus**

State of Chhattisgarh Through The S. H. O. , P. S. Vaishali Nagar, Bhilai, Durg,
(C.G.)

... Non-Applicant

For Applicant : Mr. Samdarsh Nirankari, Advocate.

For Non-Applicant/State : Ms. Vaishali Mahilong, Deputy Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.37/2021 registered at Police Station – Vaishali Nagar, Bhilai, District - Durg, (C.G.) for the offence punishable under Sections 394, 34 of Indian Penal Code and Sections 25 and 27 of Arms Act.
2. The case of the prosecution, in brief, is that on 17.02.2021 at around



20:45 hours, the complainant, Ajay Dewangan was going to his home with his brother Kailash Dewangan, on his motorcycle, when they were stopped near the liquor shop in Jawahar Nagar by four unknown people who held his collar, and started beating them with hands and fists, when one person amongst them, put a knife on his neck and upon his refusal, made a cut on the wrist, of his left hand, and then searched their pockets. Those persons allegedly took cash from his wallet amounting to 4300/- (Rupees Four Thousand Three Hundred Only), and one mobile phone from him of Samsung company having a value of 8000/- (Rupees Eight Thousand Only), and one mobile phone from his brother Kailash Dewangan of Realme company, having a value of around 7000/-, after which all of them ran away in motorcycle. An 37/2021 No. F.I.R. bearing crime was registered, against unknown persons, at Vaishali Nagar Police Station, Durg, on 18.02.2021, and a charge-sheet bearing No. 59/2021 was filed on 12.04.2021.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. He further submits that the applicant was granted bail by the trial Court in the present case, however, during the course of trial, he absconded on two occasions. It is further submitted that one of the co-accused, who was also granted bail, is still absconding. Consequently, a warrant of arrest was issued against the present applicant, and he has been in judicial custody since 12.12.2025. Learned counsel further contends that, since the co-accused is still absconding, the trial of the applicant is not likely to conclude expeditiously. Further the charge-sheet has been filed in this case and the applicant is in jail since 12.12.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.



4. On the other hand, the learned State counsel opposed the bail application, submitting that the charge-sheet has already been filed. She further contended that the case pertains to the year 2021, and the applicant absconded on two occasions during the course of trial, whereafter a warrant of arrest was issued against him, and that he has been in judicial custody since 12.12.2025. Therefore, it is submitted that the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the case pertains to the year 2021, and the applicant absconded on two occasions during the course of trial, whereafter a warrant of arrest was issued against him, and that he has been in judicial custody since 12.12.2025, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.
7. Accordingly, the bail application of the applicant - **Kishan Banjare Urf Kishor** involved in Crime No.37/2021 registered at Police Station - Vaishali Nagar, Bhilai, District - Durg, (C.G.) for the offence punishable under Sections 394, 34 of Indian Penal Code and Sections 25 and 27 of Arms Act, is **rejected** at this stage.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. It is made clear that if the co-accused is not arrested, the trial of the present applicant shall be separated and concluded expeditiously in accordance with law.



10. 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**

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