



2025:CGHC:39286



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3779 of 2025**

Kamlesh Rohidas S/o Ajjuram Rohidas Aged About 40 Years R/o.
Village- Hindadih, Vishrampur Police Station - Seepat, District- Bilaspur
(C.G.)

--- Applicant**versus**

State Of Chhattisgarh Through- S.H.O. P.S.- Seepat District- Bilaspur
(C.G.)

--- Respondent

For Applicant	:	Shri Wasim Miyan, Advocate.
For	:	Shri Sakib Ahmed, PL.
Respondent/State		

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****06/08/2025**

1. Shri Wasim Miyan, Advocate states that he has filed his power before the Registry of this Court. He is allowed to argue the case.



2. 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.240/2025 registered at Police Station Seepat, District- Bilaspur (C.G.) for the offence punishable under Section 105 BNS and Section 135 of Electricity Act.
3. Case of the prosecution, in brief, is that the complainant, Ramnand Dhanuhar, appeared at the police station and lodged a report stating that on April 30, 2025, at around 2 pm, near Sakhwa Nala, Kamlesh Rohidas' field boundary wire had an electric current flowing through it, which caused the death of Sarita Dhanuhar when she came into contact with it. Based on this information, Merg No. 38/25 was registered, and an investigation was conducted. During the investigation, statements of the victim's family members were taken, and upon inspecting the body, burn marks were found near the right leg, left thumb, and chest area. The investigation revealed that Kamlesh Rohidas had taken an illegal connection from an electricity pole and passed current through the GI wire, causing Sarita Dhanuhar's death. The doctor's short post-mortem report confirmed that the cause of death was cardiac arrest due to electric shock, and the electricity department also confirmed that the GI wire connection was illegal. Upon interrogation, the accused admitted his crime, and a case was registered against him under Section 105 of the BNS and Section 135 of the Electricity Act.



4. Learned counsel for the applicant submits that the applicant is a rustic villager being a innocent person and he has been falsely implicated in the present case. He would submit that on the date of incident the whole family of the applicant were not present in the village, the present applicant was engaged in the marriage function of his son at "Mahamaya Devi Trust Ratanapur". He would submit that the Son of the Applicant had also applied for electricity connection for the agricultural field, wherein the No Objection Certificate was also been provided to him by the Sarpunch of Village which means that the Applicant was not using illegal Electricity connection and the whole incident happened in the absence of the Applicant for which he would not be held responsible. He would submit that the applicant is in jail since 01/05/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
5. On the other hand, learned State Counsel opposes the bail application.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, nature of allegation levelled against the applicant, period of detention of the applicant since 01/05/2025 and also considering the fact that trial is likely to take some time for its conclusion, this Court is of the view that the applicant is entitled to be released on



bail in this case.

8. Accordingly, the bail application is allowed and it is directed that the Applicant-**Kamlesh Rohidas**, involved in Crime No.240/2025 registered at Police Station Seepat, District- Bilaspur (C.G.) for the offence punishable under Section 105 BNS and Section 135 of Electricity 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 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