



2025:CGHC:39285



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3988 of 2025

1 - Rajesh Singh Netam S/o Shri Samaru Singh Aged About 26 Years,

2 - Geer Singh Sidar (Wrongly Mentioned Gaursingh) S/o Shri Kartik Singh Sidar Aged About 29 Years,

3 - Bhanu Singh Netam S/o Sarsiwa Singh Netam Aged About 23 Years,

4 - Chain Singh Jagat S/o Maan Singh Jagat Aged About 36 Years,
All residents of Tendudaraha, Chauki-Beladula, P.S. And Tehsil-Sarsiwa, District- Sarangarh- Bilaigarh (C.G.)

... Applicants

versus

State Of Chhattisgarh Through Police Station Sarsiwa, District Sarangarh- Bilaigarh (C.G.)

... Respondent

For Applicants : Shri Pragalbha Sharma, Advocate.

For : Shri Malay Jain, PL.

Respondent/State

For objector : Shri Tapan Kumar Chandra, Advocate.



Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06/08/2025

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 applicants who have been arrested in connection with Crime No.57/2025 registered at Police Station Sarsiwa, District Sarangarh-Bilaigarh (C.G). for the offence punishable under Sections 105, 238 (b) & 3(5) of BNS, 2023.
2. Case of the prosecution, in brief, is that on 05.02.2025 a missing report was made by one Jageshwar Sahu, that his Son namely Manoj Kumar Sahu (deceased) on which missing report No. 08/2025 was registered. Upon further investigation and on basis of secret information the police of police-station Sarsiwa had arrested the accused/applicants and on basis of their memorandum, it is alleged that the applicants had made a trap of electric-wires to hunt Wild Bore on an agricultural land near Village- Tendudaraha, and on 05.02.2025 found that one person was caught on those wire and died due to electric current, then out of fear they disposed the dead-body by burning it. Hence the FIR.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in this case by the police authorities and there is no legal material or evidence



available on record constituting any offence as alleged by the prosecution. He would submit that investigating authorities merely on the basis of Tower location of mobile phones which is also not conclusive have arrested the applicants and have recorded their memorandum and infact the investigation authorities have failed to corroborate the relation of the applicants in the CDR/Call details of the deceased person and there are no eye witness of the incident who have seen the deceased Manoj Kumar Sahu either falling in trap of electric wires or seen the applicants taking the dead body to dispose. He would submit that the applicants are in jail since 25/02//2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicants.

4. On the other hand, learned State Counsel as also learned counsel for the objector opposes the bail application.
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 of allegation levelled against the applicants, period of detention of the applicants since 25/02//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 applicants are entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the **Applicant No.1 -Rajesh Singh Netam, Applicant No.2-Geer**



Singh Sidar, Applicant No.3-Bhanu Singh Netam and Applicant No.4-Chain Singh Jagat, involved in Crime No.57/2025 registered at Police Station Sarsiwa, District Sarangarh-Bilaigarh (C.G). for the offence punishable under Sections 105, 238 (b) & 3(5) of BNS, 2023, be released on bail on each of them furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

- (i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.
- (iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their 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 them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants 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 them in accordance with law.

8. 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