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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5285 of 2026

Purushottam Sahu Son Of Samliya Sahu Aged About 25 Years Resident Of Khokhopara, P.S. Purani Basti, District Raipur Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station Purani Basti, District Raipur (C.G.)

... Non-Applicant

For Applicant	: Mr. Bharat Lal Sahu, Advocate
For Non-Applicant/State	: Mr. Nitansh Jaiswal, Dy. Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

18.06.2026

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. 138/2026 registered at Police Station- Purani Basti, Raipur, District Raipur, (C.G.) for the offence punishable under Section 25 of the Arms Act, 1959.
2. The case of the prosecution, in brief, is that on receiving secret information that certain persons were carrying and brandishing a knife at a public place, the police reached the spot and



apprehended the present applicant. During search, a knife was allegedly recovered from his possession, for which he could not produce any valid licence or authorization. Consequently, the police seized the said knife, registered an offence under Section 25 of the Arms Act against the applicant, and arrested him. Hence, this bail application.

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 he has not committed any offence as alleged by the prosecution and that the allegations levelled against him are false, baseless and without any cogent material. He further submits that the essential ingredients of the offence punishable under Section 25 of the Arms Act are not attracted in the facts and circumstances of the present case. It is also argued that the applicant was neither carrying nor brandishing any knife in a public place as alleged by the prosecution and has not acted in the manner attributed to him. He also submits that the prosecution story is doubtful and, on the basis of the material available on record, no prima facie case is made out against the applicant. He further submits that the applicant has three previous criminal antecedents and all are disposed of which are explained in the bail application, the charge-sheet has been filed, he is in jail since 31.03.2026, 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 before



the competent Court. He further submits that the applicant has been apprehended with a knife and a prima facie case under Section 25 of the Arms Act is made out against him. It is further submitted that the allegations against the applicant are supported by the seizure memo and other material collected during investigation. He also points out that the applicant has a criminal history and is a habitual offender, having three previous criminal antecedents registered against him in the years 2016, 2020 and 2022 relating to offences under the IPC, Gambling Act and Excise Act. Considering the nature of the offence, the material available on record and the criminal antecedents of the applicant, it is prayed that the applicant does not deserve the benefit of bail and the application is liable to be rejected.

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 that though the applicant has committed the said crime and he has three previous criminal antecedents in the years 2016, 2020 and 2022 relating to offences under the IPC, Gambling Act and Excise Act, but it is to be noted that all the criminal antecedents are explained which are stated to be disposed of and further considering the fact that the applicant is in jail since 31.03.2026, the charge-sheet has already been filed before the competent Court, and the trial is likely to take considerable time for its conclusion. Therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.



7. Accordingly, the bail application of the applicant is **allowed**. Let the applicant - **Purushottam Sahu**, involved in Crime No. 138/2026 registered at Police Station- Purani Basti, Raipur, District Raipur, (C.G.) for the offence punishable under Section 25 of the Arms Act, 1959, 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



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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. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rahul Dewangan