



2026:CGHC:30036



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5731 of 2026

Kanhaiya @ Chollo S/o Shri Govind Dewar Aged About 27 Years R/o B S U
P Colony, Sarona Raipur District- Raipur (C.G.) **... Applicant**

versus

State Of Chhattisgarh Through- Station House Officer Police Station - Deen
Dayal Nagar, Raipur District - Raipur (C.G.) **... Non-applicant**

For Applicant : Mr. Sudhir Kumar Shyaam, Advocate.

For Non-Applicant/State : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

15.07.2026

1. This the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No.200/2026 registered at Police Station - Deen Dayal Nagar, Raipur District - Raipur (C.G.), for the offences punishable under Sections 296, 119(1) & 351(3) of the Bhartiya Nyaya Sanhita, 2023.
2. Case of the prosecution in brief is that, on 26.03.2026 at about 2:00 p.m., the complainant was standing in front of his house when the



present applicant allegedly approached him and demanded money.

Upon the complainant's refusal, the applicant allegedly abused him in filthy language and assaulted him. On the basis of the said incident, a report was lodged at Police Station Deen Dayal Nagar, Raipur, where Crime No. 200/2026 was registered against the applicant for the offences punishable under Sections 296, 351(3), and 119(1) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has not committed any offence as alleged by the prosecution. It is contended that the incident arose on account of previous enmity and a minor dispute between the parties, and the applicant neither assaulted the injured nor participated in the commission of the alleged offence. It is further submitted that the injuries sustained by the injured are simple in nature and not grievous, and the applicant has been implicated merely on suspicion without there being any cogent material against him. Learned counsel also submits that the complainant party was the aggressor in the incident and, therefore, no criminal liability can be attributed to the applicant. It is further submitted that applicant is in jail since 27.03.2026, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned State Counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed before the competent Court and that the applicant has 4 criminal antecedents. He further submits that the present applicant assaulted the injured, resulting in grievous injuries.



Therefore, the present applicant is not entitled to be granted regular bail in this case.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, and upon perusal of the case diary, it is observed that the injuries sustained by the injured are simple in nature. The charge-sheet has already been filed before the competent Court, and the applicant has been in judicial custody since 27.03.2026 and that the conclusion of the trial is likely to take considerable time, this Court is of the considered view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Kanhaiya @ Chollo**, involved in Crime No.200/2026 registered at Police Station - Deen Dayal Nagar, Raipur District - Raipur (C.G.), for the offences punishable under Sections 296, 119(1) & 351(3) of the Bhartiya Nyaya Sanhita, 2023, 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 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 applicant 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 him under Section 269 of Bharatiya Nyaya Sanhita.



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(iii) In case, the applicant misuse the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicants fail 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.

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