



2026:CGHC:39566



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NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### MCRC No. 8394 of 2026

**1** - Kuleshwar Kurre S/o Shri Kaliram Kurre Aged About 25 Years R/o Village Chhindauli, P.S. Patewa, Tahsil And District- Mahasamund (C.G.)

--- **Applicant**

**versus**

**1** - State Of Chhattisgarh Through The Station House Office, Police Station Patewa, District- Mahasamund, (C.G.)

---- **Respondents**

|                |                                        |
|----------------|----------------------------------------|
| For Applicant  | : Mr. Pushpendra Kumar Patel, Advocate |
| For Respondent | : Dr. Surendra Dewangan, P.L.          |

**Hon'ble Shri Justice Parth Prateem Sahu**  
**Order On Board**

**09/09/2026**

- Applicant has filed this first bail application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 92 of 2026, registered at Police Station – Patewa, District – Mahasamund (C.G.) for offence punishable under Section 296, 115 (2), 351 (3), 109 (1), 118 (2), 331 (5), 191 (2), 117 (2) of the Bhartiya Nyay Sanhita, 2023.
- The brief facts of the prosecution case are that the complainant, Raj Kumar Pandey, lodged a report alleging that on 20.05.2026 at about 3:00 PM, the accused Shekhar Jogi came to his dhaba and attempted to take away a car servicing pipe; when the complainant's son, Nitesh



Pandey, objected, a verbal altercation took place. Thereafter, Shekhar Jogi left the spot and returned after some time along with other co-accused persons, whereupon they allegedly used filthy and abusive language, threatened to kill the complainant, forcibly entered the dhaba, and assaulted him, causing him injuries. On the basis of this report, an FIR was registered, and the present applicant/accused was arrested on 22.05.2026.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the offence in question. He submits that present applicant has not been named in the FIR. The dispute between the parties initially happened with one co-accused Shekhar Jogi. As per allegation, co-accused persons came along with Shekhar Jogi at Car Wash Center where after exchange of words, there was free fight. As per the allegation, applicant has assaulted by hands and fists. Applicant is in jail since 22.05.2026, applicant has no previous criminal antecedents, and the trial is likely to take some time for its conclusion. Therefore, learned counsel prays for grant of bail to the applicant.
4. Learned counsel for the State opposes the submissions of learned counsel for applicant and would submit that applicant along with six other persons came on the spot and have assaulted the complainant due to which he suffered injuries. However, upon putting specific question with regard to nature of injuries suffered by complainant, learned State counsel submits that as per MLC report, the injuries suffered by the complainant is simple in nature.
5. I have heard learned counsel for the parties.



6. Taking into consideration facts and circumstances of the case, the nature and gravity of the offence, the fact that the applicant has been in custody since 22.05.2026, the charge-sheet has already been filed and the fact that and applicant has no previous criminal antecedents without commenting anything on merits of the case, I am inclined to allow the bail application.
7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-
- (a) 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.
  - (b) The applicant shall remain present before the trial court on each date fixed, either personally or through him counsel. In case of him absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.
  - (c) 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.
  - (d) 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-**  
**(Parth Prateem Sahu)**  
Judge

**Balram**