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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7928 of 2025**

Heeralal Ravi S/o Prasann Ram Aged About 20 Years R/o Village Devdand
Kerapath, P.S. Bagicha, Distt. Jashpur, Chhattisgarh.

... **Applicant****versus**

State Of Chhattisgarh Through P.S. Bagicha, District – Jashpur, Chhattisgarh.

---- **Non-applicant**

For Applicant : Mr. Shiv Sewak Manjhi, Advocate.

For Non-applicant/State : Ms. Vaishali Mahilong, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.03.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 156/2025, registered at Police Station – Bagicha, District – Jashpur (C.G.) for the offence punishable under Sections 303(2), 317(2) and 3(5) of the BNS.
2. The case of the prosecution, is that complainant Rakesh Kaviraj lodged a written complaint alleging that, in Sawan month on 01-08-2024, he went to offer water at Kailashgupha with his motorcycle no CG 15DN8405, there he took rest in tent at night 11:00 PM after parking motorcycle, and when he awake up in morning, found his motorcycle missing from parked place. Written report made by him on dated 26-07-2025 after unsuccessful attempt of tracing the stolen vehicle, on



which after registering crime no 156/2025 against unknown person, investigation carried on, property recovered on the basis of memorandum statement of applicant and other co-accused and thus after completion of investigation charge sheet submitted before learned JMFC, Bagicha.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there are 3 criminal antecedents of the applicant in which the applicant has been granted bail by the trial Court. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 27.07.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there are 3 criminal antecedents of the applicant, the charge-sheet has been filed in this case, and the applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there are 3 criminal antecedents of the applicant in which the applicant has been granted bail by the trial Court, charge-sheet has been filed against the applicant, the applicant is in jail since 27.07.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.



7. Let applicant, **Heeralal Ravi**, involved in Crime No. 156/2025, registered at Police Station – Bagicha, District – Jashpur (C.G.) for the offence punishable under Sections 303(2), 317(2) and 3(5) of the BNS, 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



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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/-
(Ramesh Sinha)
Chief Justice

Rajshekhar