



2026:CGHC:3362



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9754 of 2025**

Ganesh Sande @ Motu S/o Gajadhar Sande Aged About 27 Years R/o
Tikari P S Masturi, District Bilaspur (C.G.)

--- Applicant**versus**

State Of Chhattisgarh Through P S Masturi, District Bilaspur (C.G.)

--- Respondent(s)

For Applicant : Mr. Dheerendra Pandey, Advocate
For Respondent(s) : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****20/01/2026**

1. The applicant had preferred this First Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 560/2025, registered at Police Station- Masturi, District- Bilaspur (CG) for the offence punishable under Sections 296, 115(2), 351(2) of BNS Act, 2023 and Sections 25 and 27 of Arms Act.
2. The prosecution story in brief, is that, on 04.09.2025 a report was



made by complainant namely Saroj Kumar in which who has stated that on 04.09.2025 at about 6:00 pm applicant/accused due to previous enmity abused him and assaulted him with hand and his daughter namely Khushbu and at the same time his wife came to the place of incident and the accused committed marpit with his wife also. The accused was standing near the house of the Sarpanch carrying a sword and threatening him. The Sarpanch came to rescue him and his family and the accused ran away.

3. It was argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. The prosecution has not collected any legal evidence against the applicant and the prosecution has seized common article from the possession of the applicant which is easily available in the market. The applicant has 5 previous antecedents and all are pending and he is in jail since 05.09.2025 therefore he is entitled for grant of bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submissions of the counsel for the parties, nature of dispute, and further considering the fact that there was previous enmity



between the parties, the applicant is in jail since 05.09.2025 further the conclusion of the trial may take some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Let the applicant- **Ganesh Sande @ Motu**, involved in Crime No. 560/2025 registered at Police Station- Masturi, District- Bilaspur (C.G.), for the offence punishable under Sections 296, 115(2), 351(2) of BNS Act, 2023 and Sections 25 and 27 of Arms Act 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 them under Section 269 of Bhartiya Nyay Sanhita, 2023



(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure their 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 them, in accordance with law, under Section 209 of Bhartiya Nyaya Sanhita, 2023.

(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 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 forthwith.

Sd/-

(Ramesh Sinha)

Chief Justice

Madhurima