



2026:CGHC:3378



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9667 of 2025

- Sarju Lahre @ Shera S/o Bulbul Aged About 28 Years R/o Bilha, Police Station Bilha, District Bilaspur Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through Police Station Sargaon District - Mungeli Chhattisgarh

... Respondent

(Cause title is taken from Case Information System)

 For Applicant : Ms. Nilu Kumari Singh, Advocate

 For Respondent/State : Ms. Vaishali Mahilong, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

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. 92/2025, registered at Police Station – Sargaon, District – Mungeli (C.G.) for the offence punishable under Sections 296, 115(2), 351(2), 324(2), 191(2), 191(3), 117(3) of Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The case of the prosecution, is that the aunt (Bua) of complainant Jitendra Gayakwad is widow who resides alongwith mother of complainant in village Mohdi. The accused Kanhaiya Baghel is



relative of complainant and he used to say to perform second marriage of aunt (Bua) namely Kusum Baghel. On 17.07.2025 the aunt (Bua) of complainant went to plant for duty, at that time the accused Kanhaiya Baghel came alongwith a boy in the house of aunt (Bua) namely Kusum for second marriage, the complainant and his family denied the same. Thereafter, the accused Kanhaiya Baghel taken the boy to plant where the aunt (Bua) is working. When the complainant and his family got knowledge that the accused Kanhaiya Baghel went to plant then they went to house of accused Kanhaiya Baghel and said that since the aunt (Bua) does not want to re-marriage then why the accused Kanhaiya Baghel is trying to re-marriage her, then the accused Kanhaiya Baghel and other family members started abusing with the complainant and his family. On 19.07.2025 about 3-4 pm in evening when the complainant alongwith his family members, the accused Kishan, Mahendra, Ajay Baghel and other persons came by abusing the complainant and family. The accused Kishan was holding stick, accused Ajay Baghel was holding road and other accused persons were having club (Danda) and when the complainant and his family members said them why they are abusing then all of them assaulted to the complainant and his family members and entered into the general store and damaged the goods and damaged the scooty. Due to assault of accused Kishan by stick, the complainant received injuries on head, shoulder and left palm. The mother also received injuries on finger, Karan received injury on his head and hand, Bhagbali received injuries on head, ear and leg, Sunita received injuries on hand and Bharat received injuries on shoulder, thereafter on the basis of said complaint, FIR has been registered, hence, this bail application.



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 is no criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 05.11.2025 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 is no criminal antecedents registered against the present applicant, and the charge-sheet has been filed in this case.
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 is no any criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 05.11.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Sarju Lahre @ Shera**, involved in Crime No.92/2025, registered at Police Station – Sargaon, District – Mungeli (C.G.) for the offence punishable under Sections 296, 115(2), 351(2), 324(2), 191(2), 191(3), 117(3) of Bharatiya Nyaya Sanhita, 2023 (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 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