



2026:CGHC:3374

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9918 of 2025**

- Nilesh Yadav S/o Lt. Suresh Yadav Aged About 22 Years R/o Near Chiknipani High School, Police Station Bagbehra, District Jashpur (C.G.)

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

- State Of Chhattisgarh Through The Station House Officer, Police Station Sirgitti, District Bilaspur (C.G.)

**... Respondent****(Cause title is taken from Case Information System)**


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| For Applicant        | : Mr. Sumit Singh Rathore, Advocate |
| For Respondent/State | : Ms. Monika Thakur, Panel Lawyer   |

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**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. 490/2025, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Sections 109 and 296 of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The case of the prosecution, is that on 13-09-2025 at about 11PM, the complainant namely Jitendra Soni lodged the complaint against the present applicant alleging that the complainant along with his

partner was sitting in the Labour Quarter after taking the dinner, subsequently the applicant arrived there in drunken condition and told the complainant that he has killed Lala Yadav (injured) and told them to come with him and see lala Yadav, thereafter the all went to the next room of Khileshwar there he told them the same thing and took them also with him. subsequently the applicant took the albestor sheet and hit the injured lala Yadav who was lying unconsciously with the intention to kill him and abused him, subsequently other co-workers stopped the applicant after which the applicant ran from the place of incidence and thereafter the co-workers took them to CIMS Hospital for treatment. Thereafter FIR has been registered against the applicant, 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 the allegation levelled against the present applicant is that he assaulted the injured, as a result injured sustained grievous injuries. Further, 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 13.09.2025 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 13.09.2025, looking to the period of detention of the applicant and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Nilesh Yadav**, involved in Crime No.490/2025, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Sections 109 and 296 of the Bharatiya Nyaya Sanhita, 2023 (BNS) 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 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**

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