



2026:CGHC:3675



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10321 of 2025

1 - Sanjay Bhuihar S/o Baldev Bhuihar Aged About 40 Years R/o Village Sidhma, Police Out Post Bariyo, Police Station- Rajpur Tehsil Rajpur, District Balrampur-Ramanujganj, C.G. (Name Of Applicant Is Wrongly Mentioned In Cause Title Of Order Sheet)

2 - Amirnath S/o Sanjay Bhuihar Aged About 19 Years R/o Village Sidhma, Police Out Post Bariyo, Police Station- Rajpur Tehsil Rajpur, District Balrampur-Ramanujganj, C.G. (Name Of Applicant Is Wrongly Mentioned In Cause Title Of Order Sheet)

...Applicants

versus

State Of Chhattisgarh Through Police Station- Rajpur, District Balrampur-Ramanujganj, C.G.

... Non-applicant

For Applicant : Ms. Prachi Diwan, Advocate.

For Non-applicant/State : Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. This is the first bail application filed under Section 483 of the Bhartiya



Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 144/2025, registered at Police Station – Rajpur District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 296, 351(2), 115(2), 3(5) & 109 of the BNS.

2. The prosecution story in brief, is that on 21.06.2025 at about 12 AM complainant maternal grandfather's field was pledged for 30,000/- to Bharosa. Which was redeemed by his father 4 year back, and he continues cultivating till date. And the same land was again pledged by his maternal grandfather, that on the date of offence accuse father Akbar opposed the same land to be pledged again, than Amiranth, Sumeernath, Banjay and Sonamani who are the resident of same village, by abusing hi. and attacked his father Akbar with sharp Basula in their head Amirnath and Sanjay attacked with lathi and bow, meanwhile Sonamani also attacked with her bow.
3. Learned applicant submits that applicant is innocent and has been falsely implicated in the present matter as the dispute arose from a prior land disagreement between the applicants' family and the complainants' family. On the date of the alleged offence, there was only an argument between the two families regarding possession of the land. One of the co-accused, Smt. Sonamani Bhuiya, has already been granted bail by this Hon'ble Court on 08.10.2025 in MCRC No. 7947/2025 (copy of the bail order filed herewith as Annexure A/3). The applicants are male members of the family engaged in agriculture and household work, and their prolonged incarceration since 05.07.2025 is causing severe hardship to their family, as it is difficult for the



remaining members to sustain themselves. The applicants are permanent residents of the address mentioned in the cause title and possess movable and immovable property at the same address. In view of the above, the applicants submit that they are entitled to the grant of bail.

4. On the other hand, the learned State counsel opposed the bail application of the present applicant and submitted that the charge sheet has not been filed. He further submits that the present applicant assaulted injured resulting in grievous injuries. Therefore, the present applicant is not entitled to be granted regular bail in this case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence alleged against the present applicant, the fact that the charge-sheet has been filed before the competent Court, that one co-accused, namely, Sonamani Bhuiya, has already been granted bail by this Court in MCRC No. 7947 of 2025 vide order dated 08.10.2025, that the applicant has been in judicial custody since 05.07.2025, and further considering that the conclusion of the trial is likely to take some more time, this Court is of the considered opinion that the applicant is entitled to be released on bail in the present case.
7. Let applicants, **Sanjay Bhuihar & Amirnath**, involved in Crime No. 144/2025, registered at Police Station – Rajpur District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 296, 351(2), 115(2), 3(5) & 109 of the BNS, be released on bail on furnishing **personal bond** with **two local sureties** in the like sum to



the satisfaction of the court concerned with the following conditions:-

- (i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of his absence, without sufficient cause, the trial court may proceed against them 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 applicants 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 applicants are 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 themselves in accordance with law.

8. However, this Court hopes and trusts that the trial Court shall make an earnest endeavor to conclude the trial as expeditiously as possible within a period of **Six months** from the receipt of a certified copy of this order in accordance with law, if there is no legal impediment.
9. 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