



2026:CGHC:4198

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10258 of 2025

Biranchi Panigrahi S/o Gobardhan Panigrahi Aged About 38 Years Resident Of Raj Khariyar, Police Station Raj Khariyar, District Nayapara (Odisha) (Description Of Applicant Mentioned As Per Charge Sheet)

... Applicant

versus

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

... Respondent

For Applicant	: Mr. Ramsajiwan, Advocate
For State/Respondent	: Ms. Vaishali Mahilang, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.01.2026

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.437/2025, registered at Police Station – Bodhghat District Bastar (C.G.) for the offence punishable under Section 308 (2) of the Bharatiya Nyaya Sanhita and Section 67 of Information Technology Act.

2. The case of the prosecution case, that is on 30.09.2025, the complainant was travelling by train to attend his duty, during which he inadvertently lost his mobile phone. It is alleged that the present applicant found the said mobile phone and intentionally switched it off. On the following day, the applicant allegedly contacted the complainant through a text message and demanded a sum of ₹5,000/-, threatening that in the event of non-payment, he would circulate certain videos stored in the mobile phone. Due to the said threat and out of fear, the complainant allegedly transferred the demanded amount online to the applicant.
3. It is argued by the learned counsel for the applicant has been falsely implicated due to family dispute and prior enmity, The applicant submits that he has neither committed nor participated in any act constituting the alleged offences and that the evidence collected by the prosecution is not prima facie sufficient to establish his involvement, as there is no direct or cogent material connecting him with the commission of the offence. The applicant has been in judicial custody since **06.10.2025**, the charge-sheet has already been filed, and the trial is likely to take a considerable time for its conclusion.
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 criminal antecedents registered against the present applicant and the charge-sheet has been filed and applicant has been jail since **06.10.2025** and conclusion of the trial is likely to take some time, I am inclined to **allow** the same.
7. Let the applicant, **Biranchi Panigrachi** involved in Crime No.437/2025, registered at Police Station – Bodhghat District Bastar (C.G.) for the offence punishable under Section 308 (2) of the Bharatiya Nyaya Sanhita and Sections 67 of Information Technology Act be released on bail on his furnishing **a personal bond** with **local 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