



2026:CGHC:4241



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 848 of 2026

Vivekanand @ Vivek S/o Harihar Say, Aged About 22 Years, Cast- Kunwar,
R/o Village- Telyeen, Chowki- Kolhenjhariya, Police Station- Tumla, District
Jashpur C.G.

... Applicant

versus

State Of Chhattisgarh Through Station House Officer Of Out-Post
Kolhenjhariya, Police Station- Tumla, District Jashpur C.G.

... Respondent

For Applicant	: Shri Sanjeev Kumar Sahu, Advocate.
For	: Shri Saumya Rai, Dy.G.A.
Respondent/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/01/2026

1. This is the first bail application filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular
bail to the applicant who has been arrested in connection with Crime
No.32/2025 registered at Police Station Tumla, District- Jashpur (C.G.)
for the offence punishable under Section 108 of the B.N.S. 2023.



2. Case of the prosecution, in brief, is that on 15.01.2025, the deceased committed suicide by consuming poison on the basis of love affair with applicant, thereafter during the treatment she died, thereafter nearest police station registered Merg intimation, thereafter the complainant registered oral report at the Police Chowki Kolhenjhariya, accordingly the police station- Tumla, District- Jashpur registered FIR against present applicant for punishable offence under section 108 of BNS 2023 and the applicant was arrested.
3. It has been argued by learned counsel for the applicant that the applicant and deceased were having an affair but it appears that because of relationship became un-cordial and the applicant stopped receiving the phone call of the deceased she left her house and consumed some poison and her dead body was found from open field. He would submit that merg information was registered immediately after the recovery of dead body but the FIR was registered after six months. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 04/06/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and he would submit that charge sheet has been filed in this case before the competent court. He would submit that there is no suicide note of the deceased.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature of allegation levelled against the applicant, further the fact that



FIR was registered after six months of the incident, there appears to be no suicide note of the deceased, period of detention of the applicant since 04/06/2025, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Vivekanand @ Vivek**, involved in Crime No.32/2025 registered at Police Station Tumla, District- Jashpur (C.G.) for the offence punishable under Section 108 of the B.N.S. 2023, 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 for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE