



2026:CGHC:3958



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 241 of 2026

Rajesh Sharma S/o Santosh Sharma Aged About 28 Years R/o Kohka, Supela, Ward No. 09, Street No. 07, Behind Agrasen I.T.I., Supela, District Durg (C.G.)

... Petitioner

versus

State Of Chhattisgarh Through Station House Officer, Basna, District Mahasamund (C.G.)

... Respondent

For Petitioner : Ms. Lata Nayak, Advocate.

For : Shri Sourabh Sahu, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22/01/2026

1. Heard Ms. Lata Nayak, learned counsel for the petitioner. Also heard Shri Sourabh Sahu, learned Panel Lawyer for respondent / State.
2. Learned counsel for the petitioner has preferred this petition seeking modification of the conditions in the order dated 25/09/2025 passed by this Court in MCRC No. 6252 of 2025, granting bail to the petitioner.



3. The petitioner was granted bail by order of this Court dated 25/09/2025 with the condition to execute **a personal bond with two sureties** to the satisfaction of the concerned trial Court, as has been mentioned in the para 7 of the said order.
4. Learned counsel for the petitioner submits that the petitioner is a poor person who could not furnish the sureties and bonds, and therefore, he is unable to comply with the conditions stipulated by this Court in order dated 25/09/2025 while granting bail to him and, therefore, he could not be released on bail. She relied on the order dated 29.03.2022 passed in **CRA No.1239 of 2019 (Pardeshi @ Ratiram @ Raturam and others vs. State of Chhattisgarh)** wherein this Court relying on the judgments of Supreme Court in the cases of **Moti Ram and others vs. State of M.P.** reported in (1978) 4 SCC 47 and **Hussainara Khatoon and others (I) vs. Home Secretary, State of Bihar** reported in (1980) 1 SCC 81 directed the petitioner therein to be released on bail on executing only personal bond of Rs.25,000/- for the like amount to the satisfaction of the trial Court and exempted other conditions stipulated earlier while granting bail to the petitioner therein. Hence, similar direction / modification in the order dated 25/09/2025 is prayed for.
5. Learned State counsel has no objection. He further submits that the issue of enlarging accused/convict on his executing only personal bond has been elaborately dealt with by this Court in the case of **Bhawan Singh and others vs. State of Chhattisgarh (CRA No.1607 of 2015)**, order dated 11.05.2022, wherein this Court after considering the principle of law laid down by the Supreme Court in the cases of **Moti**



Ram (supra) and **Hussainara Khatoon (supra)** in great detail coupled with other provisions of law directed the petitioner therein to be released on his executing only personal bond, which direction can also be issued in the present case.

6. Having heard the learned counsel of the parties, taking into consideration the facts and circumstances of the case, specially considering the fact that the petitioner is a poor person who could not furnish the sureties and bonds, therefore, he is unable to comply with the conditions stipulated by this Court in order dated 25/09/2025 while granting bail to him and in view of decisions of the Supreme Court in the matters of **Moti Ram (supra)** and **Hussainara Khatoon (supra)** as well as the order of this Court passed in the case of **Bhawan Singh (supra)**, I deem it appropriate to direct that the petitioner- **Rajesh Sharma** be released on bail on his executing only **a personal bond** to the satisfaction of the trial Court concerned.
7. Accordingly, the order dated 25/09/2025 passed in MCRC No. 6252 of 2025 is modified to the extent indicated above.
8. In view of the same, the present CRMP is **allowed**.
9. A copy of this order be placed in the record of MCRC No. 6252 of 2025.

Sd/-
(Ramesh Sinha)
Chief Justice