



2026:CGHC:20705

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**  
**MCRC No. 391 of 2026**

Dhanendra Kumar Chelak S/o Khilesh Chelak, Aged About 25 Years R/o Village Korasi Ward No. 13, Satnami Para, P.S. Kharora, District- Raipur Chhattisgarh

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

State Of Chhattisgarh Through Station House Officer, Police Station Kharora, Raipur, District – Raipur (C.G.)

**---- Non-applicant**

For Applicant	: Mr. Bharat Lal Sahu, Advocate.
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

**Hon'ble Shri Ramesh Sinha, Chief Justice**

**Order on Board**

**04.05.2026**

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. 666/2025, registered at Police Station – Kharora, Raipur, District – Raipur (C.G.) for the offence punishable under Sections 105 and 110 of the BNS and Sections 184 and 177 of the Motor Vehicles Act.
2. The case of the prosecution, is that the complainant has made written complaint before the Police Station that on the date of incident the applicant was rashly and negligently manner driving his Scorpio vehicle and dashed motorcycle of the deceased and injured person, due to which the deceased received injuries and died during treatment and the injured person has received injuries. Hence, this 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 there is no criminal antecedents registered against the present applicant. It is submitted that the applicant is said to have run the Scorpio vehicle over two persons out of which one has died and one is injured, and so far as the trial of the present case is concerned, out of 25 witnesses only 4 witnesses have been examined, the charge-sheet has been filed in this case, and the applicant is in jail since 26.09.2025 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 the charge-sheet has been filed in this case. It is further submitted that the applicant is said to have run the Scorpio vehicle over two persons out of which one has died and one is injured, therefore, he is not entitled for grant of bail.
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, the applicant is said to have run the Scorpio vehicle over two persons out of which one has died and one is injured, and so far as the trial of the present case is concerned, out of 25 witnesses only 4 witnesses have been examined, the charge-sheet has been filed in this case, and the applicant is in jail since 26.09.2025, and conclusion of

the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Dhanendra Kumar Chelak**, involved in Crime No. 666/2025, registered at Police Station – Kharora, Raipur, District – Raipur (C.G.) for the offence punishable under Sections 105 and 110 of the BNS and Sections 184 and 177 of the Motor Vehicles 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**

Rajshekhhar