



2026:CGHC:3709

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 264 of 2026**

Pradip Sonwan S/o- Shri Dhaneshwar Sonwan Aged About 25
Years R/o Indira Niwas Chirmi, Pani Patrapali Thana-- Kotraroad -
Dist.- Raigarh, C.G. Present R/o Atal Awas Devrikhurd Thana-
Torwa, District : Bilaspur, Chhattisgarh **... Applicant**

versus

State Of Chhattisgarh Police Station- Torwa, District : Bilaspur,
Chhattisgarh **... Non-applicant**

For Applicant : Mr. Krishna Kumar Khatri, Advocate.

For Non-applicant/State : Ms. Ritika Verma, PL.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board**21.01.2026**

1. The applicant has preferred this 2nd 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.06/2025 registered at Police Station – Torwa, Bilaspur (C.G.), for the offence under Sections 76, 333 and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short ‘the BNS, 2023). 1st bail application was rejected on merits vide order dated 20.05.2025 passed in M.Cr.C. No.3974 of 2025.

2. The case of the prosecution is that after conducting investigation, the prosecution found a prima facie case against the accused for outraging the modesty of the victim and evidence was collected and investigation against him was continued. Hence, this application.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the aforesaid case. He further submits that the applicant is in jail since 03.01.2025, conclusion of trial is likely to take quite some time, therefore, he may be granted bail.
4. On the other hand, learned State Counsel opposes the bail application and submits that looking to the fact that the 1st bail application of the applicant was rejected on merits, therefore, the applicant is not entitled for grant of bail.



5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case, submission of learned Counsel for the parties, further considering the order sheets of the trial Court which show that summons were issued and none of the prosecution witnesses have appeared till date and also considering the pre-trial detention and this is repeat bail application, without further commenting anything on merits, I am inclined to grant bail to the applicant.
7. Let applicant- **Pradip Sonwani** involved in Crime No.06/2025 registered at Police Station – Torwa, Bilaspur (C.G.), for the offence under Sections 76, 333 and 351(2) of of the BNS 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