



CGHC010235962026

2026:CGHC:33073-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1519 of 2026

Baldev Kuhrami @ Tulsi Kuhrami S/o Bhima Kuhrami Aged About 31 Years
R/o Choteaadawal Thana Farsegarh Distt. Bijapur C.G.

Appellant(s)

Versus

State Of Chhattisgarh Through P.S.Farsegarh Distt. Bijapur C.G.

Respondent(s)

(Cause-title taken from Case Information System)

For Appellant(s) : Mr. Vikash A. Shrivastava, Advocate

For Respondent(s) : Mr. Ashish Shukla, Addl. AG

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Bibhu Datta Guru, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

31/07/2026

1. Heard on I.A. No.01/2026 is an application seeking condonation of delay of five days in preferring the present criminal appeal.
2. Having considered the reasons assigned in the application and keeping in view that the delay is marginal and the appellant is in judicial custody, this Court is satisfied that sufficient cause has been shown for not



preferring the appeal within the prescribed period.

3. Accordingly, the delay of five days in filing the appeal is condoned. I.A. No.01/2026 stands allowed.
4. The present appeal under Section 21(4) of the National Investigation Agency Act, 2008 is directed against the order dated 07.05.2026 passed by the learned Special Judge, NIA Act/Scheduled Offences, South Bastar, Dantewada in Special (NIA Act) Case No.49/2024, whereby the appellant's application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail has been rejected. It is pertinent to mention that the appellant had earlier preferred CRA No.1460 of 2025 seeking regular bail in connection with the same crime, which came to be dismissed by this Court on merits vide judgment dated 18.08.2025, taking into consideration the nature and gravity of the allegations as well as the stage of the trial.
5. Learned counsel for the appellant submits that though the appellant has remained in custody since 17.08.2024, there has been a subsequent change in circumstances. It is submitted that as on 24.07.2026, out of 15 prosecution witnesses, 13 witnesses have already been examined. However, during the pendency of the trial, certain co-accused, who were absconding earlier, have been arrested and, therefore, the prosecution witnesses are being re-examined. Therefore, considering all the aspects of the matter, the benefit of Section 483 of the BNSS may extended in favour of the appellant.
6. Learned State counsel opposes the appeal and submits that the appellant's earlier prayer for bail has already been rejected by this Court

on merits and no substantial change in circumstances has been made out so as to entitle him to the concession of bail.

7. We have heard learned counsel for the parties and perused the material available on record.
8. It is not in dispute that the appellant's earlier criminal appeal, being CRA No.1460 of 2025, was dismissed on merits by this Court. Upon consideration of the submissions advanced in the present appeal, this Court is of the opinion that no such substantial change in circumstances has been brought on record as would warrant reconsideration of the prayer for grant of bail. Accordingly, this Court is not inclined to enlarge the appellant on bail.
9. However, considering the submission that out of 15 prosecution witnesses, 13 have already been examined and that the trial is likely to be delayed on account of the subsequent arrest of certain absconding co-accused requiring re-examination of witnesses, this Court is of the opinion that appropriate directions deserve to be issued so that the appellant is not subjected to avoidable delay in conclusion of his trial.
10. Accordingly, the learned trial Court is directed to separate the trial of the present appellant from that of the subsequently arrested co-accused, if such course is otherwise permissible in law and there exists no legal impediment. The learned trial Court shall thereafter make all endeavour to conclude the trial qua the present appellant as expeditiously as possible, preferably within a period of **two months** from the date of receipt of a certified copy of this order.
11. Registrar (Judicial) is directed to send a copy of this order to the

concerned Trial Court for necessary compliance.

12. Consequently, the criminal appeal stands **dismissed**.

Sd/-

(Bibhu Datta Guru)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

Rahul