



CGHC010284042026



2026:CGHC:38672

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Date: 2026.09.01
16:07:03 +0530**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6832 of 2026**

Bajrang Chauhan S/o Late Shri Vimal Chauhan Aged About 36 Years R/o
Phool Chowk, Jorapara, Near Kali Mandir, Raipur, Tahsil And District Raipur,
Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through Police Station - Gol Bazar, District- Raipur,
C.G. **...Non-applicant**

For Applicant	: Mr. Mayank Kumar, Advocate.
For Non-applicant/State	: Ms. Anusha Naik, Dy, G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****01.09.2026**

1. This is the first bail application filed under Section 483 of the Bhartiya
Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the
applicant who has been arrested in connection with Crime No.
81/2026 registered at Police Station – Gol Bazar, District - Raipur
(C.G.), for the offences punishable under Sections 296, 351(2), 119(2)
& 3(5) of the BNS.

2. The prosecution case, in brief, is that on the basis of a written complaint lodged by the brother of the injured, Police Station Gol Bazar, District Raipur, registered FIR bearing Crime No. 81/2026 against the applicant for the offences punishable under Sections 296, 351(2), 119(2) read with Section 3(5) of the BNS, 2023. As per the prosecution, on 02.05.2026 at about 4:00 to 4:30 a.m., the injured, namely Shantanu Rai, while returning to his home on his motorcycle after completing his work, allegedly met with a minor accident involving a cycle-rickshaw near Kusumtai Dabke School, G.E. Road, Raipur. It is alleged that after the rickshaw driver and passengers left the spot, the applicant demanded a sum of ₹10,000/- from the injured for settlement of the matter, abused him in filthy language and threatened to kill him if he failed to pay the said amount. It is further alleged that the applicant assaulted the injured with a helmet on his face, as a result of which he sustained injuries and was subsequently found to have suffered a fracture of his jaw. During investigation, the applicant was arrested on 03.05.2026 and has remained in judicial custody thereafter. Upon completion of investigation, the police filed the charge-sheet bearing Challan No. 90/2026 before the learned Trial Court, Raipur. Thus, the investigation has been completed and the charge-sheet has already been filed before the competent Court.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case on account of suspicion and mistaken identity, and that he has not committed any offence as alleged in the FIR. It is submitted that, as per the prosecution case itself, the incident occurred at a public place after the injured had met with a minor accident with a cycle-rickshaw

and a crowd had gathered at the spot, and the applicant's specific case is that another person, namely Shobhit @ Janu, was involved in the alleged assault, whereas the applicant was merely present amongst the persons gathered there and was mistakenly identified as the assailant. Learned counsel further submits that the allegations regarding demand of money, assault with a helmet and criminal intimidation are not supported by any reliable or independent material collected during investigation and there is no eye-witness in the charge-sheet who has specifically attributed the alleged assault or any overt act to the applicant. It is also submitted that CCTV cameras were installed at the place of occurrence, but the Investigating Officer has not properly collected or relied upon the CCTV footage, which could have demonstrated the applicant's non-involvement in the incident. Learned counsel further submits that the applicant was arrested on 03.05.2026 and has remained in judicial custody since then, the investigation is complete and the charge-sheet has already been filed, and therefore, his further custodial detention is not required. It is further submitted that the alleged offences are triable by the learned Magistrate and the trial is likely to take considerable time, and continued incarceration would amount to pre-trial punishment. The applicant is a permanent resident of the address mentioned in the cause title, has deep roots in society, is engaged in private work and is the sole earning member of his family, and his aged parents, wife and minor children are dependent upon him; hence, there is no likelihood of his absconding or tampering with the prosecution evidence or influencing the witnesses. The applicant undertakes to appear before the learned Trial Court on each and every date fixed,

shall not misuse the liberty of bail, and shall abide by all the terms and conditions imposed by this Hon'ble Court. In view of the aforesaid circumstances, particularly the doubtful identification, absence of reliable independent evidence, completion of investigation, filing of the charge-sheet and the period of custody already undergone, learned counsel prays that the applicant may kindly be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the applicant has three previous criminal antecedent, therefore, he is not entitled to the grant of regular bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, the fact that the similarly situated co-accused, namely Shobhit Brahmanekar, has already been granted bail vide order dated 23.07.2026 passed in MCRC No. 6602 of 2026, and further considering that the charge-sheet has already been filed before the competent Court, that the applicant has been in judicial custody since 03.05.2026, and that the conclusion of the trial is likely to take considerable time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Bajrang Chauhan**, involved in Crime No. 81/2026 registered at Police Station – Gol Bazar, District - Raipur (C.G.), for the offences punishable under Sections 296, 351(2), 119(2) & 3(5) of the BNS, be released on bail on his furnishing **personal bond** with

two local 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 she 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 her 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