



CGHC010279702026



2026:CGHC:34585

NAFR

RUCHI
YADAV

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6586 of 2026

1 - Arjun Mahilane S/o Late Babu Lal Mahilane Aged About 27 Years R/o Village Bhadara Sub Tah. And P.S. Kosir District- Sarangarh- Bilaigarh (C.G.)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through Thana In- Charge P.S. City Kotwali, District- Raigarh (C.G.)

... Respondent(s)

For Applicant(s)	:	Mr. Rajendra Tripathi, Advocate
For Respondent(s)/State	:	Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.08.2026

1. This is the **first bail application** filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of regular bail to the applicant, who is in judicial custody in connection with Crime No. 495/2025 registered at Police Station City Kotwali, District Raigarh (Chhattisgarh), for the offences punishable under Sections 303(2),

112(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that the complainant, namely Dileshwar Manhar, lodged a report stating that on 18.07.2025, he had gone to the hospital for treatment along with his wife and children. When he returned from the hospital, he found that his motorcycle bearing registration No. CG-11-AV-5857 was missing. Thereafter, a crime was registered, and during the course of investigation, the present applicant was arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant has been in judicial custody since 03.11.2025, the investigation has been completed and the charge-sheet has already been filed. It is also submitted that the trial is likely to take considerable time to conclude. Therefore, it is prayed that the applicant be enlarged on regular bail.
4. Per contra, learned State counsel opposes the bail application and submits that although the investigation has been completed and the charge-sheet has already been filed, considering the nature and gravity of the allegations and the material collected during the investigation, no case for grant of bail is made out. It is, therefore, prayed that the bail application be rejected.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, particularly the fact that the applicant is in judicial custody since 03.11.2025, the investigation has been completed and the charge-

sheet has already been filed and the trial is likely to take considerable time to conclude, this Court is inclined to release the applicant on regular bail.

7. Accordingly, the bail application is **allowed**. Let the Applicant – **Arjun Mahilane** involved in Crime No.-495/2025 registered at Police Station City Kotwali, District Raigarh (Chhattisgarh), for the offences punishable under Sections 303(2), 112(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing **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. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial expeditiously from the receipt of this order in accordance with law, if there is no legal impediment.
9. 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