



CGHC010287402026



2026:CGHC:33178

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6971 of 2026

1 - Yogesh Sahu S/o Banshilal Sahu Aged About 35 Years R/o Ward No. 05, Simga, Police Station- Simga, District : Balodabazar-Bhathapara, Chhattisgarh

...Applicant(s)

versus

1 - State of Chhattisgarh Through The Station House Officer, Police Station- Chhura, District : Gariyabandh, Chhattisgarh

... Respondent(s)

For Applicant(s)	:	Mr. Shivendu Pandya, Advocate
For Respondent(s)/State	:	Ms. Parul Dwivedi, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

31.07.2026

1. This is the **first 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. 74/2025 registered at Police Station Chhura, District Gariyaband (Chhattisgarh), for the offences punishable under Sections 310(2),

331(4), 351(3), 61(2) and 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023.

- 2.** The prosecution case, in brief, is that the complainant, namely Suryakant Agrawal, lodged an FIR on 24.05.2025 at Police Station Chhura, District Gariyaband (C.G.), alleging that in the intervening night of 23/24.05.2025, at about 1:00 A.M., while he, his mother and his two children were sleeping in the hall of their house, his mother raised an alarm. On reaching the spot, the complainant allegedly found 7–8 unidentified persons, with their faces covered, who had forcibly entered the house. It is alleged that the assailants placed a knife on the complainant's mother's neck, threatened to kill the family if they raised any alarm, and restrained the complainant, his mother and his two children by tying their mouths, hands and legs with cello tape. Thereafter, the assailants allegedly broke open the locker of the almirah and decamped with cash amounting to Rs. 3,50,000/-, gold and silver ornaments valued at approximately Rs. 14,70,000/-, and one mobile phone. On the basis of the aforesaid report, the police registered the present crime for the offences punishable under Sections 310(2), 331(4), 351(3), 61(2) and 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, the present applicant, along with the other co-accused persons, was arrested on the allegation that they had committed the aforesaid dacoity.
- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the investigation has been completed, the charge-sheet has already been filed and the applicant has been in judicial custody since

06.02.2026. Learned counsel further submits that the case of the present applicant is similar to that of the co-accused persons, who have already been enlarged on bail by this Court vide orders dated 10.07.2026 and 15.07.2026 passed in MCRC Nos. 4892 of 2026 and 4383 of 2026 respectively. It is further contended that the trial is likely to take considerable time to conclude and, therefore, no useful purpose would be served by keeping the applicant in further judicial custody. Accordingly, 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 charge-sheet has already been filed, the applicant has one criminal antecedent. It is, therefore, prayed that the bail application deserves to be rejected.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the nature of the allegations, the fact that the investigation has been completed and the charge-sheet has already been filed, the period of custody of the applicant since 06.02.2026, the fact that the case of the present applicant is similar to that of the co-accused persons who have already been enlarged on bail by this Court and the likelihood of the trial taking considerable time to conclude, this Court is of the opinion that further custodial detention of the applicant is not warranted at this stage. Accordingly, without commenting on the merits of the case, the bail application is **allowed**.
7. Let the Applicant – **Yogesh Sahu** involved in Crime No. 74/2025 registered at Police Station Chhura, District Gariyaband (Chhattisgarh), for the offences punishable under Sections 310(2), 331(4), 351(3),

61(2) and 111(2)(b) 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**