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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7031 of 2026**

Tejkumar Bhoi S/o Sarthi Bhoi Aged About 23 Years R/o Village Jhilmila
Police Station Saraipali, District Mahasamund C.G. **... Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police
Station Balouda District Mahasamund C.G. **...Respondent**

For Applicant	: Mr. Ajay Kumar Chandra, Advocate.
For Non-applicant/State	: Ms. Smriti Shrivastava, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.08.2026**

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. 85/2025 registered at Police Station – Balouda District Mahasamund (C.G.), for the offences punishable under Sections 296, 115(2), 351(3), 191(2), 190, 331(6), 304(2) & 324(4) of the BNS.
2. The prosecution story in brief is that, on 10.12.2025, at about 12:30

a.m. (midnight), the present applicant, along with other co-accused persons, allegedly entered the house of the complainant and abused the complainant and his family members in filthy language. It is further alleged that the accused persons assaulted the complainant and his family members with rods, sticks and a knife, causing injuries to them. It is also alleged that during the incident, the accused persons damaged the complainant's television and bus and thereafter looted cash and a mobile phone belonging to the complainant. On the basis of the said allegations, the First Information Report was lodged against the applicant and other co-accused persons.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and that he has not acted in the manner alleged by the prosecution. It is further submitted that the present case is a counterblast to the earlier criminal case lodged by the applicant against the complainant and more than 30 other accused persons, wherein they had allegedly entered the applicant's house, assaulted him, his uncle and niece, and attempted to outrage the modesty of his niece, pursuant to which Crime No. 112/2025 was registered at Police Station Saraipali for offences under Sections 296, 351(2), 115(2), 191(2), 109, 324(4), 331(6) of the BNS and Sections 3(1)(d) and 3(2)(v)(a) of the SC/ST (Prevention of Atrocities) Act. It is submitted that some of the accused persons in the said case have already been granted bail by the Court below, and the relevant documents and photographs have been placed on record. Learned counsel further submits that the applicant has been in judicial custody since 26.06.2026, therefore he prays for grant of regular bail to the applicant

4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has not yet been filed in the present case and applicant has three criminal antecedents, therefore he is not entitled for grant of regular bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of the allegations, and the material available on record, which indicates that cross-reports have been lodged by both parties and that the injuries sustained by both sides are simple in nature, and further considering that one of the co-accused has already been granted bail by the trial Court, and taking into account that the applicant has remained in judicial custody since 26.06.2026 and that the charge-sheet has not yet been filed before the competent Court, and as the conclusion of the trial is likely to take some time, this Court is of the considered view that the applicant is entitled to be released on regular bail.
7. Let the Applicant – **Tejkumar Bhoi**, involved in Crime No. 85/2025 registered at Police Station – Balouda District Mahasamund (C.G.), for the offences punishable under Sections 296, 115(2), 351(3), 191(2), 190, 331(6), 304(2) & 324(4) 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 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**