



CGHC010326682026



2026:CGHC:37851

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Date: 2026.08.25
10:43:38 +0530**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 7883 of 2026**

Ajay Mandavi S/o Sukhcharan Mandavi Aged About 26 Years R/o
Budhwaripara Ward No. 14, Dongargarh, District Rajnandgaon Chhattisgarh
(Wrongly Mentioned As 22 Years In The Impugned Order) ... **Applicant**

versus

State Of Chhattisgarh Through P.S. Dongargarh, District Rajnandgaon
Chhattisgarh ... **Respondent**

For Applicant	: Mr. Harshvardhan Singh Thakur, Advocate.
For Non-applicant/State	: Mr. Soumya Rai, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board**

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24.08.2026

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.129/2026
registered at Police Station – Dongargarh, District Rajnandgaon(C.G.)
for the offences punishable under Sections 296, 351(2), 109 & 3(5) of
the BNS 2023.

2. As per the prosecution case, in brief, on 14.03.2026 at about 03:11 a.m., the complainant, namely Magan Das Manikpuri, aged about 70 years, resident of Khandupara, Dongargarh, District Rajnandgaon, lodged an oral report at Police Station Dongargarh alleging that on 13.03.2026 at about 10:00 p.m., inside the premises of the old Community Health Centre, Dongargarh, near the well, Ajay Mandavi, Anil Thapa, Dinesh and Gajendra @ Gajju were consuming liquor. When the complainant's sons, Lalit Manikpuri and Bhoj Manikpuri, objected to the same, all the accused persons allegedly abused them and threatened to kill them. It is further alleged that Gajendra @ Gajju attacked the complainant's sons with a knife with an intention to cause their death, resulting in serious injuries. During investigation, the memorandum statements of the three co-accused persons allegedly disclosed that Gajendra @ Gajju had assaulted the injured persons with a knife, and the said knife was subsequently seized by the Investigating Officer from Gajendra @ Gajju. On the basis of the aforesaid allegations and the material collected during investigation, the offence has been registered against the accused persons.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the case; that nothing has been seized from his exclusive custody and, as per the statements of both the victims recorded under Section 180 of the BNSS, it was co-accused Gajendra alias Gajju who attacked them with a knife. It is further submitted that there is no allegation against the present applicant that he attacked either of the victims with a knife or made any attempt to kill them, and the allegation against him is only that he assaulted the victims with hands and fists. It is also submitted that the

applicant has been falsely implicated in Crime No.129/2026 registered at Police Station Dongargarh, District Rajnandgaon, for the offences punishable under Sections 296, 351(2), 109 and 3(5) of the BNS, 2023, and that the prosecution case has been fabricated due to malicious action of the police. Learned counsel further submits that the applicant is the sole bread earner of his family and his continued incarceration is causing serious hardship to his family. It is also submitted that co-accused Anil Thapa has already been granted bail by this Hon'ble Court in MCRC No.7000/2026 arising out of the same Crime No.129/2026 registered at Police Station Dongargarh, District Rajnandgaon, and the applicant is entitled to parity. The applicant is a permanent resident of the address mentioned in the application and there is no likelihood of his absconding or tampering with the prosecution evidence. He is ready to furnish adequate surety and abide by all the terms and conditions imposed by this Hon'ble Court and, therefore, prays that he may kindly be enlarged on bail.

4. On the other hand, learned counsel for the State, opposes the bail application of the applicant.
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, the nature and gravity of the allegations levelled against the present applicant, the fact that the similarly situated co-accused, namely Anil Thapa, has already been granted bail vide order dated 03.08.2026 passed in MCRC No. 7000 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 15.05.2026, 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 applicant, **Ajay Mandavi**, involved in Crime No.129/2026 registered at Police Station – Dongargarh, District Rajnandgaon(C.G.) for the offences punishable under Sections 296, 351(2), 109 & 3(5) of the BNS 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.** Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

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