CGHC010350672026 2026:CGHC:43548

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8487 of 2026

Suraj @ Bhuruwa S/o Shri Jeevan Jogi Aged About 22 Years R/o Village Chhindauli, Police Station Patewa, Tahsil And District- Mahasamund (C.G.)

... Applicant

ALFIZA BAIG
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Date: 2026.10.08 16:28:04 +0530

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Patewa, District- Mahasamund (C.G.)

... Respondent

For Applicant	:	Ms. Ankita Goswami, Advocate
For Respondent-State	:	Mr. Afroz Khan, Panel lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

07.10.2026

1. Applicant has filed this **first bail** application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 92/2026 registered at Police Station –Patewa, District- Mahasamund, (C.G.) for offence punishable under Section 296, 115(2), 351(3), 109(1), 118(2), 331(5), 191(2) and 117(2) of BNS, 2023.

2. Case of prosecution in brief is that, the complainant Raj Kumar Pandey, lodged a report alleging that on 20.05.2026 at about 3:00 PM, the

accused Shekhar Jogi came to his dabha and attempted to take away the car servicing pipe; when the complainant's son Nitesh Pandey, objected, a verbal altercation took place. Thereafter, Shekhar Jogi left the spot and returned after some time along with other co-accused persons, whereupon they allegedly used filthy and abusive language, threatened to kill the complainant, forcibly entered the dhaba, and assaulted him, causing him injuries. On the basis of this report, an FIR was registered, and the present applicant/accused was arrested on 22.05.2026.

3. Learned counsel for applicant submits that applicant has been falsely implicated in the crime, he has not committed offence as alleged. She submits that present applicant has not been named in the FIR. The dispute between the parties initially happened with one co-accuse Shekhar Jogi. As per the allegation, co-accused persons came along with Shekhar Jogi at Car Wash Center where after exchange of words, there was free fight. As per the allegation, applicant has assaulted by hands and fists. Applicant is in jail since 22.05.2026, applicant has no previous criminal antecedents, and the trial is likely to take some time for its conclusion. Therefore, learned counsel prays for grant of bail to the applicant.

4. On the other hand, learned counsel for State opposes the submission made by learned counsel for the applicant and submits that as per the allegations, Ghanshyam Jogi, co-accused came along with other co-accused persons with an intent to cause injuries and assaulted the complainant. In the incident, the son of the complainant Sonu, suffered a fracture on the right little finger. He does not dispute that the other

injuries are simple in nature and further submits that co-accused namely Kuleshwar Kurre, Ghanshyam Jogi, DevKumar and Rahul Jogi have been enlarged on bail by this Court.

5. I have heard learned counsel for the parties and perused the documents enclosed along with the bail application.

6. Taking into consideration facts and circumstances of the case, the nature and gravity of the offence, the fact that the applicant has been in custody since 22.05.2026, the charge-sheet has already been filed and the fact that applicant has no previous criminal antecedents, without commenting anything on the merits of the case, I am inclined to allow this bail application.

7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-

(a) 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.

(b) The applicant shall remain present before the trial court on each date fixed, either personally or through him counsel. In case of him absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(c) 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.

(d) 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.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
JUDGE

Alfiza