CGHC010358332026 2026:CGHC:42973

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8575 of 2026

1 - Rahul Joshi Son Of Kesh Kumar Joshi, Aged About 24 Years Resident Of Danitola Ward, Dhamtari, Tahsil And District - Dhamtari (C.G.)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station - City Kotwali, Dhamtari, District - Dhamtari (C.G.) **... Respondent(s)**

For Applicant (s)	:	Mr. Sanjeev Kumar Sahu, Advocate
For Respondent(s)/State	:	Mr. Vivek Sharma, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

05.10.2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 144/2026, registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offences punishable under Sections 296, 351(2), 221, 121(1), 132, 324(3), 3(5) of BNS.

2. As per the prosecution story, in brief, is that on 12.06.2026, the complainant, Khilesh Kumar Dhruw, lodged a report at Police Station City Kotwali, Dhamtari, alleging therein that on 11.06.2026, he was on duty with Dial-112 and, during the course of his duty, received information regarding a quarrel. Upon receiving the said information,

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he, along with the driver of the vehicle, namely Vinay Kumar Nand, went to Satnami Gali, Danitola, Dhamtari, where two persons were quarrelling with some ladies. The complainant advised both the groups to maintain peace, upon which the accused Rahul Joshi, Chandrashekhar Ratre and their companion allegedly abused the complainant and assaulted him with fists, an iron rod, and also damaged the vehicle. On the basis of the said report, the aforesaid offences have been registered 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. It is submitted that the applicant has not committed any offence as alleged against him and has been implicated due to a dispute which arose at the spot. Learned counsel for the applicant further submits that the applicant has nine criminal antecedents, all of which have already been disposed of, and the applicant has properly explained the said antecedents in PART-D of the bail application. It is further submitted that the charge-sheet has already been filed before the competent Court and the applicant is in custody since 13.06.2026. On these grounds, learned counsel prays that the applicant may kindly be enlarged on bail.

4. Learned State Counsel opposes the bail application and submits that the applicant has nine criminal antecedents. It is further submitted that the applicant deterred the police officials in the discharge of their official duties. On these grounds, learned State Counsel prays for rejection of the bail application.

5. I have heard the learned counsel for the parties and perused the case

diary.

6. Having considered the facts and circumstances of the case, particularly considering the fact that at present there is no pending criminal antecedent against the present applicant and the charge-sheet has already been filed and also considering the fact that the applicant is in custody since 13.06.2026 and the conclusion of the trial is likely to take some time, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed.**

7. Let applicant be released on bail on furnishing a personal bond of Rs. 50,000/- with one surety 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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Jyoti