CGHC010365112026 2026:CGHC:43647

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8928 of 2026

Prakash Sidar S/o Shri Khemraj Sidar Aged About 25 Years R/o Village - Litaipali, Police Station - Pusour, District - Raigarh (C.G.). **... Applicant**

versus

State Of Chhattisgarh Through Officer In-Charge Police Station - Pusour, District - Raigarh (C.G.). **... Non-Applicant**

For Applicant	**:**	Mr. Pawan Kesharwani, Advocate
For Non-Applicant	**:**	Mr. Vivek Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

08/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 52/2025 registered at Police Station Pusaur, District Raigarh (C.G.) for offences punishable under Sections 118(1), 109(1), 311, and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief, is that on 11.03.2025, the complainant-Suddharam Sidar lodged an FIR alleging that on 10.03.2025, his son Krishna Sidar went out and did not return. On the morning of 11.03.2025, an unknown girl informed him over the phone that his son had been assaulted by unknown persons in Ravankhondra. Later that afternoon, the injured victim returned home in an unconscious state with serious, bleeding head injuries and was

hospitalised. The medical report/bed head ticket indicated that the head injury was grievous and life-threatening. Subsequently, sections for attempt to murder and robbery were added against unknown persons for assaulting the victim with a sickle and robbing his motorcycle and Vivo mobile phone. Later, in connection with another crime (Crime No. 124/2025), the applicant was arrested on 10.07.2026, and pursuant to his memorandum statement, a Vivo mobile phone was recovered, on the basis of which he was implicated in the present case.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that the FIR was registered against unknown persons and the applicant has been roped in after a delay of nearly 16 months solely on the basis of his memorandum statement and the alleged recovery of a Vivo mobile phone. It is pointed out that neither in the initial FIR nor in the statement of the complainant/injured were the IMEI number or specific identifiable features of the looted mobile phone disclosed. It is further submitted that the charge-sheet has already been filed, the applicant has only one criminal antecedent (in which he was arrested along with the present matter), he has been in custody since 10.07.2026, and the trial is likely to take considerable time to conclude; therefore, he may be enlarged on regular bail.

4. On the other hand, learned State counsel opposes the bail application, submitting that the victim was brutally assaulted with a sickle causing life-threatening head injuries, and the looted Vivo mobile phone belonging to the victim was seized from the possession of the applicant pursuant to his memorandum statement. Looking to the gravity of the offence, the applicant may not be released on bail.

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

6. Taking into consideration the facts and circumstances of the case, particularly the FIR was initially registered against unknown persons, and the applicant has been implicated after substantial delay on the basis of his memorandum statement and the seizure of a Vivo mobile phone, the IMEI number and specific details of which were neither mentioned in the FIR nor specified in the initial statements; further considering that the investigation has been completed, the charge-sheet has already been filed, the applicant has been in jail since 10.07.2026, and conclusion of the trial is likely to take some time, this Court, without commenting upon the merits of the case, is inclined to release the applicant on bail.

7. Accordingly, the application is **allowed**.

8. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

   (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

Rakesh Mohan Pandey
JUDGE

Nadim