CGHC010380562026 2026:CGHC:45101

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9214 of 2026

1 - Ashok Kurre Son Of Gangaram Kurre Aged About 31 Years Resident Of Rambhatha Senduras, Police Station Sarsiwan, District Sarangarh-Bilaigarh (C.G.)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Sarsiwan, District Sarangarh-Bilaigarh (C.G.) **... Respondent(s)**

For Applicant (s)	:	Mr. Anil Kumar Gulati, Advocate
For Respondent(s)/State	:	Mr. Kanwaljeet Singh Saini, Dy. G.A.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

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. 78/2026, registered at Police Station Sarsiwan, District Sarangarh Bilaigarh (C.G.) for the offence punishable under Sections 296, 351(3) 109 of BNS.

2. The case of the prosecution, in brief, is that the FIR was lodged by the brother of the injured, namely, Heera Lal Ratre, alleging therein that on 05.03.2026 at about 7:00 PM, the present applicant inflicted an axe blow on the left side of the neck of the injured, Santosh Ratre. Pursuant to the said report, the offences, as stated above, were

registered against the applicant.

3. Learned counsel appearing for the applicant would submit that there is no medical opinion regarding the grievous nature of the injury sustained by the injured. He would further submit that the injury was not life-threatening. He would also submit that the charge-sheet has already been filed, the applicant has no criminal antecedents, and he is in jail since 06.03.2026. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel would oppose the bail application and submit that the injury sustained by the injured was grievous in nature. He would further submit that, although there is no medical opinion regarding the nature of the injury, the same was inflicted on a vital part of the body. He, therefore, prays for rejection of the bail application.

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 fact that there is no medical opinion regarding the nature of the injury, i.e., whether it was life-threatening or not, and further considering that the applicant has no criminal antecedents, has been in custody since 06.03.2026, the charge-sheet has already been filed, 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