CGHC010382632026 2026:CGHC:43670

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9411 of 2026

1 - Dharmendra Yadav S/o Late Dashrath Yadav, Aged About 43 Years Resident Of Sipat Chowk, Chattarji Gali, Near House Of Badal Khan, Sarkanda, P. S. Sarkanda, Dist. Bilaspur C.G.

... Applicant

Versus

1 - State Of Chhattisgarh Through The Station House Officer P. S. Sarkanda, Dist. Bilaspur C.G.

... Non-applicant

For Applicant	:	Mr. Raza Ali, Advocate
For Non-applicant	:	Mr. Aman Tamrakar, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

08/10/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 940/2026 registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offences punishable under Sections 318 (4), 338, 336 (3), 340 (2), 3 (5) & 61 (2) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief is that upon the direction of the Collector and the Sub-Divisional Officer (SDO), the police registered the FIR alleging that deceased Gore Lal had died due to old age and physical weakness, but his family member, namely Bhagat Singh Thakur, with

knowledge of the actual cause of death, fraudulently represented that the deceased had died due to snake bite and thereby obtained financial assistance from the Government under the Snake Bite Death Assistance Scheme. In connection with the said alleged offence, the police arrested Bhagat Singh Thakur and other family members of the deceased and, on the basis of the memorandum statements allegedly made by them during investigation, implicated and arrested the present applicant. The FIR has not been uploaded on the official website, showing the same as a case-sensitive document, and the screenshot thereof has been filed.

3. Learned counsel for the applicant submits that applicant is innocent, he has been falsely implicated in the crime. He has not committed any offence as alleged. He submits that after implication of applicant in one crime, he has been made accused in the present crime and other cases also, out of which, in one of the Crime No. 314/2026, P.S. Koni, District – Bilaspur, the applicant was enlarged on regular bail in MCRC No. 7500/2026 vide order dated 20.08.2026. Applicant is in jail since 11.08.2026. Investigation is complete, charge-sheet has been filed, no custodial interrogation is required. Hence, the applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the submission made by counsel for the applicant and would submit that according to the allegation, the applicant has brought to the notice of the other co-accused persons about the policy of the State Government and how the money can be obtained. Hence, he is not entitled for bail.

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

6. Taking into consideration, facts and circumstances of the case, nature of allegations, submission of learned counsel for the respective parties, the other co-accused persons have been enlarged on bail in MCRC No.

7500/2026 vide order dated 20.08.2026, investigation is complete, charge-sheet has been filed, documents enclosed along with the bail application, trial is likely to take sometime, without commenting anything on merits of the case, I am inclined to allow this application for grant of bail.

7. Accordingly, the bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed and it is directed that applicant shall be released on bail upon his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of Trial Court concerned 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 his counsel. In case of his 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 andin order to secure her 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.

SHUBHAM DEY
Digitally signed by SHUBHAM DEY

Dey

Sd/-
(Parth Prateem Sahu)
Judge