CGHC010382872026 2026:CGHC:46578

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9732 of 2026

1 - Roshan Sahu S/o Bulchu Ram Sahu Aged About 45 Years R/o House No. 1, Ward No. 17, Shanti Nagar, Audyogik Nagar, Bhilai, Civil, Tehsil And Revenue District Durg Chhattisgarh

... Applicant

Versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. - Mohan Nagar, District Durg Chhattisgarh

... Non-Applicant

For Applicant	:	Mr. Jaydeep Singh Yadav, Advocate
For Non-Applicant	:	Dr. Surendra Dewangan, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

03/11/2026

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. 525/2026 registered at Police Station – Mohan Nagar, District – Durg, Chhattisgarh for the offences punishable under Sections 109, 296, 351 (3), 3 (5), 61 (2), 111 of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief is that, the complainant lodged the First Information report in the concerned police station alleging that the applicant Vicky Singh called him on his phone and in the said call, co-

accused Rajesh Singh asked the complainant to call Narendra (Victim) with regard to some work of Devbhumi project. Further, on 25/07/2026, the victim Narendra Singh, complainant Vinay Kumar Singh along with one Rupesh Yadav reached Devbhumi with regard to the sale of land at around 12:00 P.M. where the accused persons Rajesh Singh, Ashok Singh, Vicky Singh, Vijay Memon were already present and they started abusing and assualting them. In the meanwhile, the co-accused Vijay Memon inflicted knife injuries to the brother in law of the complainant, Narendra Singh. When complainant and Rupesh Yadav tried to intervene, they were also assualted. Based upon the said incident, the complainant lodged FIR against the accused persons including the applicant for the offence punishable under Sections 109, 296, 351 (3), 3 (5) of the BNS, 2023. During the course of investigation, the police has also added the charges of section 61 (2) and section 111 of the BNS, 2023 against the accused persons and the present applicant wherein he was arrested on 26/07/2026.

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 the applicant has not been named in the FIR, however, the name of the applicant has been implicated only on the basis of the memorandum statement of co-accused Vijay Memon and Vicky Singh. Applicant is in jail since 26.07.2026. 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. However, he do not dispute the submission of counsel for the applicant that applicant has been implicated on the basis of the memorandum statement of co-accused Vijay Memon and

Vicky Singh. No specific allegation is leveled against the applicant of causing assault upon the complainant.

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, as per the FIR, there is no role of the applicant in causing injuries to the victim, 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.*
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> *(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.*
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> *(c) In case, the applicant misuses the liberty of bail during trial and in 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.*
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> *(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

Dey