CGHC010388202026 2026:CGHC:45527

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**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 9463 of 2026**

*** -** Amit Nagesiya S/o Shri Paras Nagesiya Aged About 19 Years R/o Shivdhari Colony, Police Station- Gandhinagar, Tahsil- Ambikapur, District- Sarguja (C.G.)

**... Applicant**

**Versus**

*** -** State Of Chhattisgarh Through The Station House Officer, Police Station- Gandhinagar, District- Sarguja (C.G.)

**... Non-Applicant**

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|---|---|---|
| For Applicant | : | Mr. Rishi Rahul Soni, Advocate |
| For Non-Applicant | : | Ms. Ritika Verma, Panel Lawyer |

**Hon’ble Shri Justice Rakesh Mohan Pandey**
**Order on Board**

**28/10/2026**

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 429/2026 registered at Police Station- Gandhinagar, District Sarguja (C.G.) for commission of offence punishable under Sections 309(4), 127, 296, 351(3), 115(2) and 3(5) of BNS.

2. As per case of prosecution, complainant- Kartik Singh lodged an F.I.R. on 09.07.2026 to the effect that while he was returning home, 04 persons including present applicant, stopped him and subsequently assaulted and looted mobile and compelled him to transfer Rs.2,100/-. F.I.R. was lodged against unknown persons. During course of

investigation, police arrested the present applicant and 03 accused persons, test identification parade was conducted and all accused persons were duly identified by the complainant. On such complaint, police registered the offence as stated above.

3. Learned counsel appearing for the applicant would contend that Rs.2,100/- was transferred in bank account of one Nitin Kumar who is not an accused. He would further contend that charge-sheet has already been filed and the applicant is in jail since 11.07.2026, he has no criminal antecedent and conclusion of the trial may take some time, therefore, this bail application may be allowed.

4. On the other hand, learned Panel Lawyer appearing for the State/non-applicant would oppose. She would submit that the present applicant along with other co-accused assaulted the complainant and committed loot of mobile and Rs.2,100/-. She would further submit that according to medical report, the complainant received injury on neck and cheek, therefore, this bail application deserves to be dismissed.

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

6. Having considered the fact that charge-sheet has already been filed and the applicant is in jail since 11.07.2026, he has no criminal antecedent and Rs.2,100/- was transferred in bank account of one Nitin Kumar who is not co-accused and thus, the applicant is not a beneficiary, therefore, without commenting anything on merits of the case, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

7. 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 the 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/her from disclosing such fact to the Court;

**II.** He shall not act in any manner which will be prejudicial to a fair and expeditious trial;

**III.** He shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial; and,

**IV.** He shall not involve himself in any offence of a similar nature in future.

8. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

9. Certified copy as per rules.

Sd/-
**(Rakesh Mohan Pandey)**
**Judge**

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