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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9444 of 2026

NADIM MOHLE Digitally signed by NADIM MOHLE Date: 2026.10.29 11:06:38 +0530

Ishan Biniya S/o Heeralal Biniya Aged About 20 Years R/o Store Para, Puraina, Bhilai - 3 Tehsil And District - Durg (C.G.). **... Applicant**

versus

State Of Chhattisgarh Through Police Station - Grp Bhilai, District- Durg (C.G.)

... Non-Applicant

For Applicant	**:**	Mr. Shrestha Gupta, Advocate
For Non-Applicant	**:**	Mrs. Smriti Shrivastava, 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 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 56/2026 registered at Police Station GRP Bhilai, District Durg (C.G.), for offences punishable under Sections 115(2), 333, 296, 351(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief, is that on 19.07.2026, complainant Dipesh Sahni lodged a report alleging that the present applicant along with other co-accused persons entered his house, assaulted him with hands and fists, and dragged him out of the house. On the basis of the

said complaint, the aforesaid crime was registered against the applicant and co-accused persons.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. It is submitted that the investigation has been completed, charge-sheet has already been filed, and the applicant is in judicial custody since 20.07.2026. He further submits that although the applicant has two previous criminal antecedents of the years 2023 and 2024 registered under Sections 380, 457, 34 of IPC and Sections 115(2), 296, 351(2), 3(5) of BNS, respectively, both the cases are pending trial and he has not been convicted in either of them. Since the conclusion of the trial is likely to take considerable time, it is prayed that the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that the applicant along with co-accused entered the house of the complainant and assaulted him, and that the applicant has previous criminal antecedents. However, she does not dispute the fact that the charge-sheet has already been filed and the previous cases are pending trial.

5. Heard learned counsel for the parties and perused the case diary as well as the material available on record.

6. Taking into consideration the totality of the facts and circumstances of the case, nature and gravity of the allegations, particularly considering that the investigation has been completed and charge-sheet has already been filed, the applicant is in custody since 20.07.2026, and that the conclusion of the trial is likely to take some time, without commenting anything on the merits of the case, this Court is inclined to release the applicant on regular bail. 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 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.

8. 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

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