CGHC010390202026 2026:CGHC:46302

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9409 of 2026

1 - Amit Yadav S/o Purno Yadav Aged About 35 Years R/o Tiklipara, Police Station - Tumla, Tahsil - Farsabahar, District Jashpur Chhattisgarh **... Applicant(s)**

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station - Tumla, District Jashpur Chhattisgarh **... Respondent(s)**

For Applicant (s)	:	Mr. Shivendu Pandya, Advocate
For Respondent(s)/State	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

02.11.2026

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. 32/2026, registered at Police Station Tumla, District Jashpur (C.G.) for the offence punishable under Sections 109, 296, 126(2) and 3(5) of BNS.

2. The case of the prosecution, in brief, is that on 10.06.2026, the complainant, namely Gureshwar Yadav, lodged a written report at Police Station Tumla, District Jashpur (C.G.), alleging that on the date of the incident, at about 08:00 a.m., while he was proceeding towards Village Kolenjhariya and had reached near the house of Sanju Chouhan, the present applicant, along with other co-accused persons,

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arrived at the spot and stopped him. They abused him in filthy language, whereafter co-accused Amit Yadav assaulted him with a stick (danda), causing multiple injuries. It is further alleged that the present applicant also assaulted the complainant with a stick. When the wife and son of the complainant intervened, the applicant and other co-accused persons fled from the spot. Thereafter, the complainant was taken to the hospital by the persons present at the spot. On the basis of the written report lodged by the complainant, the police registered the FIR against the present applicant and other co-accused persons.

3. Learned counsel for the applicant submits that a scuffle took place between the complainant party and the present applicant on 10.06.2026, resulting in registration of FIRs and counter-FIRs. He submits that FIR bearing Crime No. 31/2026 was lodged by complainant Vasu Ram Yadav against the present applicant and his other family members, whereas another FIR bearing Crime No. 32/2026 was lodged by complainant Gureshwar Yadav. He further submits that two counter-FIRs were also registered against the complainant party, one bearing Crime No. 30/2026 at the instance of the present applicant and another bearing Crime No. 33/2026 at the instance of Soni Yadav. He further submits that co-accused Purno Yadav, father of the applicant, has already been enlarged on bail by this Court vide order dated 02.09.2026 passed in MCRC No. 8135/2026. The applicant has no other criminal antecedents apart from Crime No. 31/2026. He also submits that the members of the complainant party, against whom Crime Nos. 30/2026 and 33/2026

were registered, have already been enlarged on bail by the competent Court. He, therefore, submits that the present case involves FIRs and counter-FIRs. The charge-sheet has already been filed and the applicant has been in judicial custody since 11.06.2026. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that, as per the MLC report, the injured sustained serious injuries on the head, including a fracture of the parietal bone. Hence, he 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, the nature of the allegations, particularly the fact that the present case involves FIRs and counter-FIRs, the co-accused has already been enlarged on bail, the applicant has no other criminal antecedents apart from Crime No. 31/2026, the charge-sheet has already been filed, the applicant has been in judicial custody since 11.06.2026, and the trial is likely to take considerable time for its conclusion, this Court, without commenting on the merits of the case, is inclined to grant regular bail to the applicant. Accordingly, the 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