CGHC010393372026 2026:CGHC:44266

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9705 of 2026

1 - Sahil Ogare Son Of Birbal Ogare Aged About 19 Years Resident Of Nayak Bandha, Abhanpur, District Raipur Chhattisgarh

--- **Applicant**

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Abhanpur, Raipur, District Raipur (C.G.)

--- **Non-applicant**

MCRC No. 9740 of 2026

1 - Sandesh Jangade S/o Shankar Jangade Aged About 18 Years Resident Of Mahadev Ghat Satnami Para, Near Danteshwari Mandir, Raipuora, Tahsil And District Raipur Chhattisgarh.

---**Applicant**

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Abhanpur, Raipur, District Raipur (C.G.)

--- **Non-applicant**

		MCRC No. 9705/2026
For Applicant	:	Mr. B.L. Sahu, Advocate
For Non-applicant	:	Mr. Aman Tamrakar, Panel Lawyer
		MCRC No. 9740/2026
For Applicant	:	Mr. B.L. Sahu, Advocate
For Non-applicant	:	Mr. Aman Tamrakar, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

13/10/2026

1. Since, MCRC No. 9705/2026 and MCRC No. 9740/2026 arise out of same crime number, therefore, both these applications are heard together and decided by this common order.

2. These are the second bail applications filed by the respective applicants. The first bail application filed by the Applicant Sahil Ogare was dismissed as withdrawn vide order dated dated 09.09.2026 in MCRC No. 8365/2026 and the first bail application filed by the Applicant Sandesh Jangde was dismissed for want of prosecution vide order dated 24.09.2026 in MCRC No. 8380/2026.

3. These second bail applications are filed by the applicants under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 231/2026 registered at Police Station – Abhanpur, District – Raipur, Chhattisgarh for the offences punishable under Sections 304 (2), 3 (5) and 304 of the Bharatiya Nyaya Sanhita, 2023 and under Section 25 of the Arms Act, 1959 respectively.

4. Case of the prosecution, in brief is that the complainant lodged report in the concerned police station on 11.07.2026 alleging that on 06.07.2026, the applicant along with his friend namely, Gopichand Sahu were going towards their village – Kurud on their motorcycle. At about 09:10 P.M., when they reached near Gatapar Bade Canal Bridge, some unknown person stopped their motorcycle and looted two mobile phones and an amount of Rs. 29,500/- from the complainant. Based on the aforesaid allegations, FIR was registered and during the course of investigation, the applicants were arrested on 12.07.2026 and 14.07.2026 respectively.

5. Learned counsel for the applicants submits that applicants are innocent, they have been falsely implicated in the crime. They have not committed any offence as alleged. He submits that there was quarrel between the

complainant and the applicant and only with regard to take revenge, the false report has been lodged. Applicants are in jail since 12.07.2026 and 14.07.2026 respectively. Investigation is complete, charge-sheet has been filed, no custodial interrogation is required. Hence, the applicant may be enlarged on bail.

6. On the other hand, learned State counsel opposes the submission made by counsel for the applicant and would submit that there is specific allegation against the applicants of snatching a sum of Rs. 29,000/- and a mobile phone.

7. Upon asking, learned counsel for the applicant submits that the mobile has not been seized from the present applicants, but a sum of Rs. 270/- have been seized from applicant Sahil Ogare and Rs. 300/- have been seized from applicant Sandesh Jangade. He also pointed out that there is one criminal antecedent against each of the applicant for alleged commission of offence under Section 294, 351 (2), 115 (2) of the BNS, 2023 for the year 2026.

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

9. Taking into consideration, facts and circumstances of the case, nature of allegations, submission of learned counsel for the respective parties, tender age of the applicants to be 18 & 19 years, investigation is complete, charge-sheet has been filed, documents enclosed along with the bail applications, trial is likely to take sometime, without commenting anything on merits of the case, I am inclined to allow these applications for grant of bail.

10. Accordingly, the bail applications filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 are allowed and it is directed that applicants shall be released on bail upon their furnishing a personal

bond in the sum of Rs. 25,000/- each with one surety in the like sum to the satisfaction of Trial Court concerned on the conditions that:

> *(a) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.*
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> *(c) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.*
>
> *(d) The applicants 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 applicants 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 them in accordance with law.*

11. 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