CGHC010393532026 2026:CGHC:45864

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9511 of 2026

1 - Onkar Yadav S/o Asari Ram Yadav Aged About 48 Years Caste Mahkul, Occupation Cultivation, R/o Village Dhodhagaon, Ward No. -03, Police Station And Tahsil Sitapur, District Sarguja (C.G.)

--- Applicant

versus

1 - State Of Chhattisgarh Through S.H.O., Police Station Sitapur, District Sarguja (C.G.)

---- Respondent

For Applicant	:	Mr. Divyansh Shukla, Advocate
For Respondent	:	Mr. Amit Verma, Additional A.G.

Hon'ble Shri Justice Parth Prateem Sahu
Order On Board

29/10/2026

1. Applicant has filed this first bail application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 262 of 2026, registered at Police Station – Sitapur, District – Sarguja (C.G.) for offence punishable under Section 108, 3 (5) of B.N.S., 2023.

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

2. Case of the prosecution, in brief, is that on 25.12.2025, at about 08:00 p.m., a phone call from Bharat Yadav was received on the mobile phone of the deceased, during which the applicant also allegedly threatened the deceased. On the following day, i.e., 26.12.2025, at about 05:00 p.m., the family members found Dinesh Gupta hanging,

and he had died. The incident was reported to the police, pursuant to which a crime was registered against five persons, including the applicant. Hence, the present application for anticipatory bail.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He has not committed any offence as alleged. He contended that three accused persons have been enlarged on anticipatory bail, copy of two of which has been placed along with the bail application i.e. Bharat Yadav in M.Cr.C.A. No. 1454 of 2026 vide order dated 10.09.2026 and Bhupendra Singh Parihar in M.Cr.C.(A) No. 1546 of 2026 vdie order dated 22.09.2026. The applicant is arrested and is in jail since 02.08.2026 and no further custodial interrogation of applicant is required in this case. Trial of the case may take time. Hence, prayed that applicant may be enlarged on regular bail.

4. Learned State counsel opposes the bail application, however, he do not dispute the submission of learned counsel for applicant that other three accused persons have been enlarged on anticipatory bail.

5. I have heard learned counsel for the parties.

6. On due consideration on the facts and circumstances of the case, nature of allegation, submission made by learned counsel for respective parties, further considering that three other co-accused persons have been enlarged on anticipatory bail, without commenting anything on merits of the case, I am inclined to allow the bail application.

7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the

sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court 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.

(b) The applicant shall remain present before the trial court on each date fixed, either personally or through him counsel. In case of him absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(c) 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.

(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.

Sd/-
(Parth Prateem Sahu)
Judge

Balram