CGHC010396322026 2026:CGHC:45773

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9606 of 2026

Tuleshwar Netam S/o Sri Rajaram Netam Aged About 22 Years R/o Village Ajaypur Kala, Police Station Kota, District Bilaspur (Chhattisgarh)

... Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Kota, District- Bilaspur (C.G.)

... Respondent(s)

For Applicant	:	Mr. Sachin Nidhi, Advocate
For Non-Applicant	:	Ms. Ritika Verma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29.10.2026

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. 719/2026 registered at Police Station : Kota, District : Bilaspur (C.G.) for the offence punishable under Sections 296, 118 (1), 119 (1), 351 (3) of BNS and Section 25 and 27 of Arms Act.

2. As per the prosecution story, in brief, the complainant, Kishan, along with two other persons, namely, Nikhil and Rikesh, had gone to

Bilaspur for daily-wage labour work and returned to their village at about 9:00 P.M. on 27.08.2026. It is alleged that thereafter, the applicant approached the complainant and demanded money from him for consuming liquor. Upon the complainant's refusal to give money, the applicant allegedly abused the complainant's mother and sister in filthy language, threatened to kill the complainant, and assaulted him with a stick (danda), causing injuries to him. It is further alleged that while the complainant was proceeding to drop Rikesh near Ajaypur School at about 9:30 P.M., the applicant came from his house and struck the complainant on his head with a knife-like object, allegedly causing a bleeding injury. On the basis of the aforesaid allegations, F.I.R. No. 719/2026 was registered on 28.08.2026 at Police Station Kota, District Bilaspur (C.G.), initially for the offences punishable under Sections 115(2), 119(1), 296 and 351(3) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, Section 118(1) of the Bharatiya Nyaya Sanhita, 2023, and Sections 25 and 27 of the Arms Act, 1959, were also added.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the allegations levelled against the applicant are disputed and that the applicant has not committed the alleged offence in the manner stated by the prosecution. It is further submitted that the applicant is in custody since 31.08.2026 and that the trial is likely to take considerable time to conclude. Learned counsel submits that the applicant is a permanent resident of the locality and there is no likelihood of his absconding or tampering with the prosecution evidence. It is also contended that the applicant undertakes to cooperate with the

investigation and trial and to comply with any condition that may be imposed by this Hon'ble Court. On the aforesaid grounds, learned counsel for the applicant prays that the applicant be enlarged on regular bail.

4. Per contra, learned counsel for the State opposes the bail application and submits that the allegations against the applicant are serious in nature. It is contended that the applicant allegedly assaulted the complainant on two occasions and subsequently inflicted an injury on his head with a knife-like object. Learned counsel further submits that the allegations are supported by the prosecution material collected during the course of investigation. It is further contended that, in view of the nature of the allegations and the addition of the relevant provisions of the Bharatiya Nyaya Sanhita, 2023, and the Arms Act, 1959, the applicant is not entitled to be released on bail. Accordingly, learned counsel for the State prays for rejection of the bail application.

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

6. Having considered the facts and circumstances of the case, the nature of the allegations, the material collected during the course of investigation, and the period of custody of the applicant, without expressing any opinion on the merits of the case, this Court is of the considered view that the matter deserves consideration for grant of bail. Considering the overall facts and circumstances of the case, this Court is of the opinion that the applicant is entitled for grant of 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/-** to the satisfaction of the concerned trial

Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b)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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits. Sd/-

(Rakesh Mohan Pandey)
JUDGE

Saurabh