CGHC010403672026 2026:CGHC:44269

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9683 of 2026

1 - Paritosh Mishra S/o Surendra Mishra Aged About 47 Years R/o Village Rafakhal (Salhebhantha) Police Station Loisingha, District Balangir (Odisa)

--- **Applicant**

Versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Pithora, District Mahasamund (C.G.)

--- **Non-applicant**

For Applicant	:	Mr. Raghvendra Pradhan, Advocate
For Non-applicant	:	Mr. Sumit Singh, Dy. Advocate General

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

13/10/2026

1. This is the second bail application. The first bail application was dismissed as withdrawn vide order dated 05.10.2026 in MCRC No. 9342/2026.

2. This second bail application is filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 172/2026 registered at Police Station – Pithora, District – Mahasamund, Chhattisgarh for the offences punishable under Sections 318 (4), 338, 336 (3), 340 (2), 3 (5) & 61 (2) of the Bharatiya Nyaya Sanhita, 2023.

3. Case of the prosecution, in brief is that on 17.06.2026, during checking, vehicle bearing registration No. CG-07-CM-5860 was intercepted while allegedly transporting approximately 23,350 kilograms of Khair wood illegally. The driver of the vehicle produced NTPS NOC No. AP/KU/K/KU- 160 dated 14.06.2026, purportedly issued by the Forest Department, Kurnool, Andhra Pradesh, in support of the transportation. During investigation, the said NOC was verified through the concerned Forest Department, Kurnool, which, upon verification of the relevant departmental and revenue records, reported that the said NOC had not been issued by the Forest Department, Kurnool and was found to be forged, fabricated and unauthorized. It was further found that the particulars mentioned in the NOC regarding land ownership, survey number, source of forest produce, transportation route, validity period and other relevant details did not correspond with the official records and the source of the alleged Khair wood could not be established. Based on these allegations, the offences as mentioned above have been registered against the present Applicant.

4. Learned counsel for the applicant submits that applicant is innocent, he has been falsely implicated in the crime. He has not committed any offence as alleged. He submits that applicant has been impleaded only on the basis of the memorandum statement of the co-accused Gopi Prasad. He contended that the co-accused persons have been enlarged on bail in MCRC No. 7959/2026 vide order dated 22.09.2026 and MCRC No. 7532/2026 vide order dated 14.08.2026. Applicant is in jail since 15.09.2026. Investigation is complete, charge-sheet has been filed, no custodial interrogation is required. Hence, the applicant may be enlarged on bail.

5. On the other hand, learned State counsel opposes the submission made by counsel for the applicant and would submit that there are 03 criminal

cases registered against the applicant which are pending consideration. However, he do not dispute the submission of the counsel for the applicant that investigation is complete, charge-sheet has been filed and the co-accused persons have been enlarged on bail.

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

7. Taking into consideration, facts and circumstances of the case, nature of allegations, submission of learned counsel for the respective parties, the other co-accused persons have been enlarged on bail in MCRC No. 7959/2026 vide order dated 22.09.2026 and MCRC No. 7532/2026 vide order dated 14.08.2026, investigation is complete, charge-sheet has been filed, documents enclosed along with the bail application, trial is likely to take sometime, without commenting anything on merits of the case, I am inclined to allow this application for grant of bail.

8. Accordingly, the bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed and it is directed that applicant shall be released on bail upon his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of Trial Court concerned 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.*
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> *(b) 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.*
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> *(c) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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.

9. 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