CGHC010407342026 2026:CGHC:47321

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9874 of 2026

1 - Abhishek Sahu @ Sonu S/o Rohi Sahu Aged About 18 Years R/o Near Grocery Shop Of Bhekhlal Sahu Durga Nagar Birgaon, Thana Urla, District Raipur Chhattisgarh.

... Applicant(s)

versus

1 - State Of Chhattisgarh Through- Police Station Urla, District Raipur Chhattisgrh.

... Respondent(s)

For Applicant (s)	:	Ms. Smita Jha, Advocate
For Respondent(s)/State	:	Ms. Priya Sharma, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

17.11.2026

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. 223/2026, registered at Police Station Thana Urla Raipur (C.G.) for the offence punishable under Sections 109(1) and 25(1-B)(b) of BNS and Section 27(1) of Arms Act.

2. The prosecution story, in brief, is that on 25.05.2026, the complainant Shiva Mishra had gone for duty at Gondwara at around 11:00 A.M. At around 12:35 p.m., his wife informed him that someone had assaulted his father, Duryodhan, with a sharp-edged weapon. On reaching home,

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he found his father standing outside the house with a bleeding head injury. On being asked, his father informed him that accused Abhishek Sahu @ Sonu had assaulted him with a sharp-edged weapon when he objected to his abusive behaviour, causing injuries to his head and fingers of his right hand. The incident was witnessed by Prem Yadav. Thereafter, the complainant and his neighbour Bhagwat Sahu took the injured to NKD Hospital. During investigation, a knife was seized pursuant to the memorandum statement of accused Abhishek Sahu.

3. Learned counsel appearing for the applicant submits that the applicant has been falsely implicated in the present case. He further submits that the injured, who is the father of the complainant, has not sustained any grievous injury. As per the CT Scan report and the medical report of Dr. D.P. Devangan, only a short-cut injury over the forehead was found. He would also submit that the charge-sheet has already been filed, the applicant has no criminal antecedents, and he is in jail since 25.05.2026. He, therefore, prays for grant of bail to the applicant.

4. Per contra, learned State Counsel opposes the bail application and submits that the applicant assaulted the injured with a sharp-edged weapon, causing injuries on his forehead and fingers of his right hand. The weapon used in the commission of the offence has also been seized at the instance of the applicant. Therefore, considering the nature and gravity of the allegations, the applicant is not entitled to be released on bail.

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

6. Having considered the facts and circumstances of the case, the nature of the allegations and the material available on record, particularly the fact that the injuries sustained by injured Duryodhan Mishra, as per the MLC report, are not grievous in nature; that though a knife has been seized at the instance of the present applicant, no knife injury has been found on the person of the injured; that the applicant has no criminal antecedents; that the charge-sheet has been filed; and that he is in jail since 25.05.2026, while conclusion of the trial is likely to take some time, I am inclined to grant bail to the present applicant. Accordingly, the bail 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.
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> **(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.
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> **(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.
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> **(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