



2026:CGHC:15580

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3049 of 2026**

Riyaj Khan S/o Ishak Khan Aged About 18 Years R/o Ward No.4, Nagar Panchayat Kunra Hatri Chowk, Thana - Dharsiwa District- Raipur (C.G.)

...Applicant**versus**

State Of Chhattisgarh Through P.S. Dharsiwa District- Raipur (C.G.)

... Non-applicant

For Applicant : Mr. Vikas Kumar Pandey, Advocate.

For Non-applicant/State : Ms. Monika Thakur, Panel lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****06.04.2026**

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. 648 of 2025 registered at Police Station : Dharsiwa District- Raipur (C.G.) for the offence punishable under Sections 296,351(2),115(2),3(5), 118(1) & 119(1) of the BNS and Sections 25 and 27 of the Arms Act.
2. The prosecution's story in brief is that the complainant has made



complaint to the concerned police station with intend that on date of incident there was dispute arose in between accused person and injured person with regarding to demanding money for consuming liquor and thereafter, accused person have assaulted upon the injured person by weapon as resultant injured person was received simple injury on leg. Based upon such report the concerned police has registered aforesaid offence against the unknown person.

- 3.** Learned counsel for the applicant respectfully submits that applicant is innocent and has been falsely implicated in the present case. He further submits applicant is aged about 18 years and is in judicial custody since 27.12.2025. It is further submitted that the investigation has already been completed and the charge-sheet has been filed before the learned Court below. The injuries allegedly caused by the applicant are simple in nature. It is also submitted that the name of the present applicant was not mentioned in the First Information Report and has subsequently surfaced only on the basis of the memorandum statement of the co-accused person and he has no criminal antecedents. Further, it is submitted that the victim himself assaulted the applicant with a knife, and the injuries sustained by the victim were caused in the course of the applicant's self-defence. No article has been seized from the possession of the applicant. It is further submitted that the co-accused person has already been granted bail by this Hon'ble Court vide order dated 10.03.2026 passed in M.Cr.C. No. 2246 of 2026. The applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution evidence, and he is ready and willing to



abide by all such terms and conditions as may be imposed by this Hon'ble Court while granting bail.

4. On the other hand, the learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed before the competent Court. She further submits that the present applicant assaulted two injured persons, out of whom one sustained simple injuries, while the other suffered grievous injuries on his shoulder. She further submits that she has not received any information regarding the criminal antecedents of the applicant. Therefore, the present applicant is not entitled to be granted regular bail in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, particularly that the injuries sustained by the injured persons are simple in nature, and further considering that the present applicant has no criminal antecedents, and one of the co-accused, namely, Vikas Sahu, has already been granted bail by this Court in MCRC No. 2242 of 2026 vide order dated 10.03.2026, and also noting that the charge-sheet has already been filed in the present case and that the applicant has been in judicial custody since 27.12.2025, this Court is of the opinion that the applicant is entitled to be released on bail in the present case.
7. Let applicant, **Riyaj Khan**, involved in Crime No. 648 of 2025 registered at Police Station : Dharsiwa District- Raipur (C.G.) for the offence punishable under Sections 296,351(2),115(2),3(5), 118(1) &



119(1) of the BNS and Sections 25 and 27 of the Arms Act. , be released on bail on his furnishing **a personal bond with two local sureties** in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) 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.

(ii) 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.

(iii) 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.

(iv) 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 are 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.

- 8.** Office is directed to send a certified copy of this order to the trial Court concerned forthwith for necessary information and compliance.

**Sd/-
(Ramesh Sinha)
Chief Justice**