



2026:CGHC:16157

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 10374 of 2025**

Suryadev Agrawal S/o Late Chainsingh Agrawal Aged About 35 Years R/o Khundani Chowki, Kanwar, Police Station- Gurur, Presently Residing At Junema Gali, Ratnabandha Road, Dhamtari, Police Station City Kotwali, Dhamtari, District- Dhamtari (C.G.) ... **Applicant**

**versus**

State Of Chhattisgarh Through- The Station House Officer, Police Of Police Station Rudri, District- Dhamtari (C.G.) ... **Non-applicant**

For Applicant : Mr. Anil Gulati, Advocate.

For Non-applicant/State : Mr. Shailendra Sharma, Panel Lawyer.

**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****08.04.2025**

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. 39/2025, registered at Police Station - Rudri, District - Dhamtari (C.G.) for the offence punishable under Sections 281, 125(A), 105, 125(B) of the BNS and Section 39/192(1), 184 & 185 of the Motor Vehicle Act.
2. The case of the prosecution, in brief, is that during the merg enquiry, it



was found that the deceased Kanshi Ram Sahu was going to the house of his relative to attend the function and when he went to village Bhatgaon for roaming, at about 7.00 PM, in front of Didi Rasoi, the driver of the Eco Van bearing Registration Number CG-04/HC-0364 driven the vehicle under the intoxication rashly and negligently on account of which, the deceased struck in the vehicle. It is alleged that inspite stopping the vehicle, the applicant continuously driven the vehicle and dashed the vehicle of Ghanshyam Netam and Lata Ram, on account of which they also suffered from injuries. Subsequently, the applicant has been arrested for the commission of alleged offences.

- 3.** The applicant respectfully submits that he is innocent and has been falsely implicated in the present case. It is further submitted that he applicant did not act in the manner alleged by the prosecution. It is further submitted that although the MLC of the applicant mentions alcohol intoxication, no blood sample of the applicant was taken to ascertain the exact quantity of alcohol allegedly consumed by him. Mere smell of alcohol cannot by itself establish that the applicant was not in a position to drive the vehicle cautiously. It is further submitted that after the accident, the applicant did not stop the vehicle immediately due to fear that he might be assaulted by the villagers and, in fact, when the vehicle was eventually stopped, the applicant was assaulted by nearby persons, though the injuries suffered by him were simple in nature. The applicant is in custody since 07.10.2025, the charge-sheet has already been filed and the conclusion of the trial is likely to take considerable time. Therefore, looking to the period of



detention already undergone by the applicant, he deserves to be enlarged on bail. It is also submitted that the applicant has no criminal antecedents, therefore, he prays for grant of regular bail to the applicant.

4. Learned counsel for the State opposes the bail application and submits that the applicant, while driving the Eco Van bearing Registration No. CG-04/HC-0364 in an intoxicated condition, drove the vehicle rashly and negligently and caused the death of Kanshi Ram Sahu. It is further submitted that thereafter, the applicant continued driving the vehicle and caused injuries to Ghanshyam Netam and Lata Ram. Therefore, looking to the seriousness of the allegations, the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the facts and circumstances of the case, the nature of allegations, the fact that the accident is alleged to have occurred on account of rash and negligent driving, as well as the fact that the charge-sheet has already been filed before the competent Court, and further considering that the applicant has remained in jail since 07.10.2025 and the conclusion of the trial is likely to take some more time, this Court is of the considered view that the applicant is entitled to be released on bail in the present case.
7. Let applicant, **Suryadev Agrawal**, involved in Crime No. 39/2025, registered at Police Station - Rudri, District - Dhamtari (C.G.) for the offence punishable under Sections 281, 125(A), 105, 125(B) of the BNS and Section 39/192(1), 184 & 185 of the Motor Vehicle Act, be



released on bail on furnishing **personal bond** with **two local sureties** 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.

(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.

(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.

(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.

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

**Sd/-**

**(Ramesh Sinha)**  
**Chief Justice**