



2026:CGHC:3077



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 664 of 2026**

- Kamal Kashyap S/o Maheshi Aged About 40 Years R/o Village Masna, Police Station And Tahsil Lormi, District- Mungeli C.G.

... Applicant**versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Lormi, District- Mungeli C.G.

... Respondent**(Cause title is taken from Case Information System)**

 For Applicant : Mr. Bharat Rajput, Advocate

 For Respondent/State : Ms. Samiksha Gupta, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****19/01/2026**

1. This is Second bail application filed under Section 483 of the BNSS for grant of regular bail to the applicant who has been arrested in connection with Crime No.224/2024 registered at Police Station – Lormi, District - Mungeli (C.G.), for the offence punishable under Sections 294, 506-B, 323, 307, 34 pf Indian Penal Code in short “IPC”.
2. Case of the prosecution, in brief, is that the complainant namely Chandrakant Kashyap lodged report at concerned Police Station the the effect that on 14.06.2024, while bringing a mixer machine home for roof construction, accused Loknath Kashyap stopped the



machine, used abusive language, and picked a quarrel. Later, while purchasing additional materials with his father at around 11:00 am, they were assaulted by Loknath and Kamal Kashyap near Narendra Dhruv's shop. The accused used sticks and spades, causing head injuries and bleeding to both the complainant and his father. On the basis of said complaint, FIR has been registered against the present applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in this case. It is also submitted that the first bail application filed by the present applicant was rejected vide order dated 14.08.2025 in MCRC No.6446 of 2025. He further submits that applicant is in jail since 08.03.2025 and trial is in progress and the charge-sheet has been filed in this case, therefore, he prays for enlarging the applicant on regular bail.
4. On the other hand, the learned State Counsel opposes the bail application and submits that a charge sheet has already been filed in the case. He further submits that the bail application of the brother of the applicant, namely, Loknath Kashyap, was rejected by this Court on merits vide order dated 08.11.2024 passed in MCRC No. 7669/2024. He contends that the roles of the applicant and his brother are identical, as both allegedly assaulted the injured and his father with a wooden stick and spade, due to which they received grievous head injuries. It is further pointed out that though the trial is in progress in the matter of the co-accused and prosecution witnesses have been examined, the present applicant absconded and was subsequently arrested on 08.03.2025. Due to his absconding, the trial could not proceed, and the evidence against the present applicant now has to be recorded afresh and lastly on 05.01.2026 upon office reference this Court granted four month time to conclude



the trial, as requested.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that the bail application of the brother of the applicant, namely, Loknath Kashypa, was rejected by this Court on merits vide order dated 08.11.2024 passed in MCRC No. 7669/2024, further the fact that the roles of the applicant and his brother are identical, as both allegedly assaulted the injured and his father with a wooden stick and spade, due to which they received grievous head injuries, it is further pointed out that though the trial is in progress in the matter of the co-accused and prosecution witnesses have been examined, the present applicant absconded and was subsequently arrested on 08.03.2025, considering the fact that due to his absconding, the trial could not proceed, in view of the same, this Court is of the opinion that it is not a fir case to enlarge the applicant on regular bail
7. Accordingly, the bail application of the applicant – **Kamal Kashyap**, filed under Section 483 of the BNSS, involved in Crime No.Crime No.224/2024 registered at Police Station – Lormi, District - Mungeli (C.G.), for the offence punishable under Sections 294, 506-B, 323, 307, 34 pf Indian Penal Code in short “IPC” is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

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