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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 461 of 2026

1 - Sabir Alias Sameer S/o Sajid Khan Aged About 21 Years R/o Talapara (Thakur Gali) Bilaspur, Police Station Civil Lines, District Bilaspur, Chhattisgarh

... Applicant(s)

versus

1 - State Of Chhattisgarh Through Police Station Civil Line Bilaspur, District Bilaspur, Chhattisgarh

... Non-applicant(s)

For Applicant(s) : Mr. Amishan Hussain, Advocate.

For Non-applicant(s) : Mr. Ghanshyam Kahsyap, Dy. Govt. Advocate.

Hon'ble Shri Justice Ravindra Kumar Agrawal, J.

Order on Board

26/02/2026

1. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01.08.2025 in connection with Crime No. 884/2024 registered at Police Station Civil Line Bilaspur, District Bilaspur (C.G.) for the offence under Sections 296, 351(1), 115, 109, 103, 191(2) of Bharatiya Nyaya Sanhita, 2023 and Section 25, 27 of Arms Act, 1959.

2. The case of the prosecution is that on 01.08.2025 the complainant lodged a report stating that at about 10:00 PM, while he was proceeding towards Uslapur Railway Station, his brother Mahesh Yadav informed him over phone that co-accused Samir Ansari along with his associates had assaulted him with some objects. The complainant immediately rushed to CIMS Hospital, Bilaspur, where the injured reiterated that Samir Ansari and his friends had attacked him. On the basis of the report, FIR No. 884/2025 (Annexure A/2) was registered initially under Sections 296, 115(2) and 3(5) of the BNS, 2023. During the course of investigation, the injured Mahesh Yadav succumbed to his injuries, whereupon Sections 109, 103, 191(2), 191(3) of the BNS, 2023 and Sections 25 and 27 of the Arms Act were added. The applicant has been arrested on 01.08.2025.
3. Learned counsel for the applicant would submit that there is no allegation against him that he too have assaulted the deceased. In the memorandum statement of other co-accused persons only the presence of the present applicant has come and nothing incriminating weapon of offence have been recovered from him. The present applicant is no where concerned with the dispute between the juvenile in conflict with law and the deceased. The present applicant is not named in the FIR nor the witnesses have named him as the assailants. The applicant is in jail since 01.08.2025, and final adjudication of the case will take its own time, therefore, he may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes and submitted that the present applicant along with other co-accused persons including the juvenile in conflict with law have assaulted the deceased. The deceased received knife injury on his body and has

ultimately died. There are allegation that the juvenile in conflict with law along with other co-accused who are his friends assaulted the deceased by hand and fist, kicks and danda and in between that one of them have assaulted by a pointed knife. He would further submits that there is criminal antecedent against the present applicant of Crime No. 239/2022 registered at Police Station Civil Line Bilaspur for the offence under Section 147, 148, 149, 307, 120-B and 302 of IPC, therefore, he is not entitled for bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the submissions made by learned counsel for the parties, considering the nature of allegation and the material collected during the investigation and evidence available in the charge-sheet, further considering the manner in which the deceased was being assaulted by the accused persons, the present applicant is having criminal antecedent of Crime No. 239/2022 registered at Police Station Civil Line Bilaspur for the offence under Section 147, 148, 149, 307, 120-B and 302 of IPC, I am not inclined to release the applicant on bail. His bail application is, therefore, **rejected**.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Alok