



2026:CGHC:3594



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 109 of 2026

- Durgesh Singh S/o Vinay Singh Aged About 29 Years R/o Ward No. 1, Virendra Nagar, Saraipali, Police Station Saraipali, District Mahasamund Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Saraipali, District Mahasamund Chhattisgarh

... Respondent

(Cause title is taken from Case Information System)

For Applicant : Mr. Jitendra Shukla, Advocate

For Respondent/State : Ms. Ankita Shukla, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

22/01/2026

1. This is Second anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.309/2025 registered at Police Station – Saraipali, District- Mahasamund (C.G.) for the offences punishable under Sections 115(2), 351(2), 309(6) read with Section 3(5) of BNS, 2023.
2. The first anticipatory bail application filed by the applicant has been rejected by this Court in MCRCA No.1889 of 2025 vide order dated 02.12.2025.



3. Prosecution case in brief is that The prosecution case in brief is that on 03/11/2025 in the night at about 11.00 O'clock the complainant lodged the written report before police station Saraipali, District Mahasamund (C.G.) It is alleged that the complainant along with his driver namely Hemsagar Pradhan driving the vehicle bearing registration No. C.G. 04-HA-2047 and they are coming in Saraipali near Sandhya Dhaba village Harratar of Kotwar of Daily needs shop for taking Gutka Pouch and drinking water and stopped. Wherein Hitesh Padhi, Bhupendra Bhoi, Keshar Mirja and Monu Rajput, Durgesh Chouhan were sitting in Mahalpara earlier. Then the driver Hemsagar taking Gutka and drinking water at that time he was coming to his vehicle then Kesar Mirja stated to Hemsagar Pradhan today you are much flying (tu bahut ud raha hai) saying it slapped and Bhupendra Bhoi @ Sonu dashed and came near the vehicle of Hemsagar then the Hitesh Padhi stated that he will drive the vehicle you are sitting in back side and he himself sitting in driver seat. Thereafter Hitesh was driving the vehicle and they reached in Ghanteshwari Temple and taken u turn towards Chhuipali Tol Plaza reached. On the way all of together committed marpit with the help of hand and fist to Hemsagar Pradhan and also Bhupendra Bhoi given threatening him that you pay Rs. 5000/- through online if you do not pay the payment then you will beat also and bring out the Mobile Phone from his packet of paint ie. Mobile Phone Company Samsung Galaxy A 14 in which sim card No. 9340299056 and one paid Mobile No. 9770799990 being attached and Rs. 8500/- snatched from his left packet of paint and thereafter they ran away from the spot. On the basis of such complaint lodged by the complainant before police station Saraipali. The concerned police station investigated the matter and registered the crime for an offence punishable under



section 115(2), 351(2), 309(6), 3(5) of Bharatiya Nyay Sanhita 2023
against the applicants.

4. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the present case. He would submit that the first anticipatory bail application filed by the applicant has been rejected by this Court in MCRCA No.1889 of 2025 vide order dated 02.12.2025. He has filed second bail application on the ground that complainant has no objection in granting bail to the applicant. Further more investigation and trial are likely to take time, therefore, he submits that the present applicant is entitled to be released on anticipatory bail.
5. On the other hand, learned State Counsel opposes the bail application and submits that the case diary reveals that the applicant, along with the co-accused persons, assaulted the complainant, forcibly took control of his vehicle, and committed robbery of two mobile phones and Rs.8,500. It is further submitted that, as per the report of the Station House Officer, Saraipali, the applicant has been absconding since the date of the incident, which clearly indicates his non-cooperation in the investigation. Considering the gravity of the offence, the active involvement of the applicant, and the likelihood of hindrance to the ongoing investigation, therefore, he is not entitled to the grant of anticipatory bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts & circumstances of the case, gravity of offence, submissions made by learned counsel for the parties, allegation



levelled against the applicant and also considering the fact that the first anticipatory bail application filed by the applicant has been rejected by this Court in MCRCa No.1889 of 2025 vide order dated 02.12.2025, and further there appears to be no new ground. as such, I am not inclined to grant anticipatory bail to the applicant.

8. Accordingly, the anticipatory bail application of the applicant- **Durgesh Singh** filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 involved in Crime No.309/2025 registered at Police Station – Saraipali, District-Mahasamund (C.G.) for the offences punishable under Sections 115(2), 351(2), 309(6) read with Section 3(5) of BNS, 2023 is **rejected**.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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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