



2026:CGHC:3923



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 118 of 2026**

- Rohit Singh Tomar S/o Late Omprakash Singh Tomar Aged About 31 Years R/o - A-01 Sai Villa, Colony Bhatagaon, Police Station - Purani Basti, Raipur District Raipur (C.G.) (Correct As Per Annexure A-2)

**... Applicant****versus**

- State Of Chhattisgarh Through Station House Officer Police Station - Telibandha, Raipur, District - Raipur (C.G.)

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

For Applicant : Mr. Sunil Otwani, Senior Advocate and Mr. Shobhit Koshta, Advocate

For Respondent/State : Dr. Sourabh Kumar Pandey, Dy.A.G.

**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order On Board****22.01.2026**

1. This is Third anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.332/2025 registered at Police Station – Telibandha, District - Raipur (C.G.) for the offence punishable under Section 115(2), 296, 351(2), 3(5) of Bhartiya Nyay Sanhita, 2023 and Section 25 of Arms Act.
2. The first anticipatory bail application has also been dismissed in MCRCA No.1350 of 2025 vide order dated 19.09.2025, with liberty to



file appropriate application before in accordance with law. Thereafter the second anticipatory bail filed by the applicant bearing MCRCA No.45 of 2026, which has been dismissed as withdrawn by this Court vide order dated 12.01.2026. Both the bail applications were not rejected on merit.

3. The prosecution case in brief, is that on 31.05.2025 complainant went to the L.O.D restaurant VIP road, Raipur with his friend namely Harish Balani for having dinner and at about 12:15 AM midnight when complainant come out from the restaurant applicant who was also present in restaurant, due to past enmity applicant started uttering abusive word to the complainant and also trying to beat complainant with the stick but the bouncer of the restaurant saved the complainant and there after complainant called phone to his elder brother daljit chawla and applicant also used uttering word to the elder brother of the complainant into the mobile phone, thereafter complainant went to the police station Telibandha and lodge FIR against present applicant and others, a case was registered against the present applicant and others at Police Station - Telibandha, Raipur District:- Raipur bearing Crime No. 332/2025, and the matter was taken up for investigation.
4. Learned counsel for the applicant would submit that the applicant is innocent person and he has not committed any offence as alleged by the prosecution and he is falsely implicated in the present case. It is further submitted that the search was carried out by the police authorities on 04.06.2025 in the house of applicant and when the search was conduct, applicant and his family members were not at home. He further submits that seized arms were not recovered from the physical possession of the present applicant and in respect of the



said seizure, FIR was registered bearing crime No.229 of 2025 registered at Police Station Purani Basti, Raipur, was registered in which it has been shown that the said seized arms were recovered from the possession of the applicant's brother namely Virendra Singh Tomar @ Ruby, which shows that applicant has falsely implicated in crime in question. It is further argued that apart from present case in the year 2025, about 6 cases have been registered against the present case, out of which four cases are similar in nature, the applicant moved anticipatory bail application before this Court and same has been rejected by this Court in MCRCA No.1578 of 2025 vide order dated 1578 of 2025, on the ground that applicant has previous criminal antecedents, against which applicant has preferred SLP before the Hon'ble Supreme Court in the SLP No.20358 of 2025, wherein protection has been granted to him from arrest in four cases vide order dated 19.12.2025. Copy of the said order is annexed herewith as *Annexure A-8*. He further submits that this Court has also granted anticipatory bail to the applicant vide order dated 12.01.2026 in MCRCA No.46 of 2026, therefore, he prays for grant of anticipatory bail to the present applicant.

5. On the other hand, learned State counsel opposed the prayer for grant of anticipatory bail to the applicant and submits that applicant has 16 previous criminal antecedents, it appears that he is a habitual offender and during the investigation, it was revealed through the District Magistrate, Raipur that the arms licences issued to applicant No.1 and co-accused were cancelled in 2013 due to their involvement in criminal activities. Hence, there exists prima facie material against the applicant, and since the matter is still under investigation. Therefore, this anticipatory bail application is liable to be rejected.



6. I have heard learned counsel for the parties and perused all of the documents taken on record.
7. Considering the facts & circumstances of the case, submissions made by learned counsel for the parties, and further the fact that seized arms were not recovered from the physical possession of the present applicant and in respect of the said seizure, FIR was registered bearing crime No.229 of 2025 registered at Police Station-Purani Basti, Raipur, which shows that the said seized arms were recovered from the possession of the applicant's brother namely Virendra Singh Tomar @ Ruby, Further more considering the fact that 6 cases have been registered against the present applicant, out of which four cases are similar in nature, the applicant moved anticipatory bail application before this Court and same has been rejected by this Court in MCRCA No.1578 of 2025 vide order dated 1578 of 2025, on the ground that applicant has previous criminal antecedents, against which applicant has preferred SLP before the Hon'ble Supreme Court in the SLP No.20358 of 2025, wherein protection has been granted to him from arrest in four cases vide order dated 19.12.2025 and applicant also granted anticipatory bail to the applicant vide order dated 12.01.2026 in MCRCA No.46 of 2026, therefore, I am inclined to extent the benefit of Section 482 of the B.N.S.S. to the applicant.
8. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Rohit Singh Tomar** on executing a personal bond with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-
- (a) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to



dissuade him from disclosing such fact to the Court.

(b) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(d) The Applicant and the surety shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The Applicant shall not involve himself in any offence of similar nature in future.

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

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