



HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1603 of 2026

Akbar Khan **Versus** State of Chhattisgarh

MCRC/2344/2026, MCRC/2495/2026 and MCRC/1678/2026

Order Sheet

13/04/2026	Shri Manoj Paranjpe, Senior Advocate assisted by Mr. Anshul Tiwari, learned counsel for the applicant in MCRC No. 1603/2026, Mr. Rahul Goswami, learned counsel for the applicant in MCRC No. 1678/2026, Ms.M.Asha, learned counsel for the applicant in MCRC No.2344/2026 and Mr. Ranbir Singh Marhas with Ms. Shriya Jaiswal, learned counsel for the applicant in MCRC No. 2495/2026 and Dr. Saurabh Kumar Pande, learned Deputy Advocate General along with Mr.Nitansh Jaiswal, learned Deputy Government Advocate, appearing for the State/respondent as well as Mr. Umakant Singh Chandel along with Shri Siddhant

Tiwari, learned counsel, appearing for the complainant, are present.

It transpires from the record that one of the co-accused, who was a juvenile, has preferred a Criminal Revision under Section 102 of the Juvenile Justice (Care and Protection of Children) Act, 2015 before this Court for his release, as he was arrested on 29.10.2025 and detained in the Observation Home in Bilaspur in connection with Crime No. 736/2025 registered at Police Station, Masturi, District Bilaspur for punishable under Section 109, 61(2), 3(5) of BNS and Sections 25 & 27 of the Arms Act, being aggrieved by the impugned order dated 31.12.2025 passed by the Additional Sessions Judge (FTC) / Children Court, Bilaspur in Criminal Appeal No. 323/2025, upholding the order dated 09.12.2025 passed by the learned Principal Judge, Juvenile Justice Board, Bilaspur (C.G.) whereby the application filed u/s 12 of the Juvenile Justice Act was rejected and the said Criminal Revision has been registered as CRR No. 75/2026, which came up for

	hearing before a Co-ordinate Bench and the said revision was dismissed by the said Bench vide order dated 03.02.2026. Thereafter, another Bail Application filed under Section 483 of BNSS, 2023 by one of the co-accused Akbar Khan, who was arrested in connection with the same crime number, registered as MCRC No. 1603/2026 (<i>Akbar Khan vs. State of Chhattisgarh</i>), which came up before the same Bench, which has rejected CRR No. 75/2026 on 13.02.2026 and on the said date, the said Bail Application was admitted and the case diary was called for and the matter was directed to be listed on 23.02.2026. On 23.02.2026, as another Bail Application filed by another co-accused Mohammad Matin, who was arrested in connection with same crime number, being MCRC No. 1678/2026 (<i>Mohammad Matin vs. State of Chhattisgarh</i>), has been listed before the same Bench, both the cases were directed to be listed by the said Bench on 03.03.2026 and on 03.03.2026, when both MCRC No.1603/2026 and MCRC No. 1678/2026 were again listed before the
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said Bench, they were directed to be listed on 16.03.2026 and again on 16.03.2026, both the said MCRCs were directed to be listed on 17.03.2026 by the said Bench.

In the meantime, when another Bail Application filed by another co-accused Mohammad Mustkin @ Nafis, who was arrested in connection with same crime number, being MCRC No.2344/2026 (*Mohammad Mustkin @ Nafis vs. State of Chhattisgarh*) was listed before this Bench on 12.03.2026, the following order was passed by this Bench :

“Heard Ms. M. Asha, learned counsel for the applicant. Also heard Mr. Sourabh K. Pande, learned Deputy Government Advocate appearing for the respondent/State, and Mr. Umakant Singh Chandel, learned counsel for the Objector.

Learned counsel for the parties submitted that the co-accused had also preferred a Criminal Revision bearing CRR No. 75 of 2026, which was already decided in the Court of Hon’ble Shri Justice x x x on 03.02.2026, and two more cases are also pending before the

said Bench bearing MCRC No.1603/2026 and 1678/2026.

The propriety demands that the matter be sent to the Court of Hon'ble Shri Justice x x x, after nomination by Hon'ble the Chief Justice."

On 17.03.2026, when along with both these two Bail Applications i.e. MCRC No.1603/2026 and MCRC No. 1678/2026 another Bail Application filed by one another co-accused, who was arrested in connection with same crime number, namely Devesh Suman @ Nikku, registered as MCRC No. 2495/2026 (*Devesh Suman @ Nikku vs. State of Chhattisgarh*) was listed before the said co-ordinate Bench, the said co-ordinate Bench recused to hear all the said three Bail Applications, being an exception to it because Mr.Ranbir Singh Marhas and his associates have filed their vakalatnama in MCRC No. 2495/2026 (*Devesh Suman @ Nikku vs. State of Chhattisgarh*) and as some of them are an exception to the said Bench.

In pursuance of the order dated 12.03.2026 passed by this Bench, when the Registrar (Judicial) has

placed the matter before Hon'ble the Chief Justice on 23.03.2026, on administrative side, seeking a direction for listing of MCRC No. 2344/2026 (*Mohammad Mustkin @ Nafis vs. State of Chhattisgarh*) before appropriate Bench, as the connected matters arising out of same crime number i.e. MCRC No. 2495/2026, MCRC No. 1678/2026 and MCRC No. 1603/2026 are an exception to the Bench, who has passed order in CRR No. 75/2026 as per Court's order dated 17.03.2026 passed in said cases, all these matters were directed by Hon'ble the Chief Justice to be listed before this Bench till its disposal.

Today, when these four matters are listed before this Bench and when a query is being made from the counsel for the parties as to why the matters have been made an exception by the Judge, who has passed the order dated 03.02.2026 in CRR No. 75/2026, then it transpires from the record that because Shri Ranbir Singh Marhas has filed his Vakalatnama in MCRC No. 2495/2026 along with other counsels and cases of

some of those counsels are an exception to the Hon'ble Judge, who has decided the said revision petition, as such, an exception has been made by the said Judge to hear the said matters.

From the above fact, it is apparent that it is a clear case of bench hunting, which cannot be encouraged or appreciated by this Court and on a pointed query being made from counsel Shri Ranbir Singh Marhas in this regard, he could not give the suitable reply, as such, the conduct of the co-accused Devesh Suman @ Nikku, who has filed MCRC No. 2495/2026 (*Devesh Suman @ Nikku vs. State of Chhattisgarh*) in order to make the said case an exception from the said Bench who has dismissed the CRR No. 75/2026 filed by the Juvenile, is highly deprecated.

In view of the act and conduct of the accused Devesh Suman @ Nikku, who has filed MCRC No. 2495/2026 to avoid the Bench, which has rejected CRR No. 75/2026 filed by the Juvenile has to be condemned in strict terms and cannot be pardoned at all.

In view of the same, let MCRC No. 1603/2026 MCRC No. 1678/2026 and MCRC No. 2344/2026 be placed once again before Hon'ble the Chief Justice for nomination except MCRC No. 2495/2026 on administrative side to be listed before the Bench, which has rejected the CRR No. 75/2026 and MCRC No. 2495/2026 be listed before this Bench after disposal of the said three Bail Applications by the said co-ordinate Bench. Registrar (Judicial) shall do the needful forthwith.

However, it shall be open to Mr. Ranbir Singh Marhas and other counsels, whose cases are an exception to the concerned Bench, to withdraw their vakalatnama in MCRC No. 2495/2026, if they so wish/desire. In the event of such withdrawal, MCRC No. 2495/2026 shall also be listed before the said Bench.

Sd/-
(Ramesh Sinha)
Chief Justice