



2026:CGHC:13822



2026:CGHC:13822

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 439 of 2026

Loshan Kumar Sahu S/o Tej Ram Sahu Aged About 45 Years R/o Village Nawagovn, Post Dungere, Tahsil Arjunda, Distt. Balod, Chhattisgarh.

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Arjunda, Distt. Balod, Chhattisgarh.

---- Non-applicant(s)

For Applicant	:Mr. Shikhar Sharma, Advocate.
For Non-applicant/State	:Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

23.03.2026

1. This Second anticipatory bail application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 135/2025 registered at Police Station – Arjunda, District-Balod (C.G.) for the offence punishable under Section 106(1) of BNS and Section 135 and 138 of Electricity Act.
2. The earlier first anticipatory bail application of the applicant, being MCRCA No. 193/2026, was disposed of by this Court vide order



dated 05.02.2026, with liberty granted to the applicant to file a fresh anticipatory bail application with correct particulars. It was observed that due to an inadvertent typographical error, the offences were wrongly mentioned as Sections 35 and 38 of the Electricity Act, instead of the correct provisions i.e., Sections 135 and 138 of the Electricity Act, both in the first bail application as well as in the certified copy of the bail rejection order passed by the trial Court. Accordingly, liberty was granted to rectify the said defect and file a fresh bail application with correct offences along with the proper certified copy of the trial Court's order.

3. As per the prosecution story, in brief, it is alleged that on 03.10.2025, a written complaint was made by CSPDCL, Sikosa, on the basis of which an FIR was registered under Section 106(1) of the BNS. In the said complaint, it is stated that the applicant, without obtaining a regular electricity connection and without any authority of law, illegally drew an extension wire from the bore connection of Nihal Sahu and extended the same to a distance of about 300 meters, where he was using the said connection for his bore. It is further alleged that the wire used by the applicant was damaged and broken at multiple places, due to which one person, namely Virendra Sahu, came into contact with the said live wire, suffered electrocution and died. On account of the said incident, offence under Section 106(1) of BNS has been registered against the present applicant and during the course of investigation, Section 135 and 138 of Electricity Act has been added.



4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not acted in the manner alleged by the prosecution. It is further submitted that the applicant came to know about the registration of the FIR only through a newspaper and has not taken any unauthorized electricity connection from any person. On the contrary, for the purpose of operating a motor pump for agricultural work, the applicant had duly applied for an electricity connection on 12.08.2024 and also executed an affidavit on the same date. Pursuant to the directions of the officials of the Electricity Department, the applicant deposited an amount of Rs.15,000/- on 19.10.2024 and a receipt of Rs.2,033/- was issued by the department. Thereafter, the employees of the Electricity Department themselves provided an electricity connection to the applicant from the electricity pole through a proper service line to the place where the bore and motor pump are installed in his agricultural field. It is further submitted that the said electricity connection was given by the departmental authorities and the applicant has been using the same strictly as per their directions for the motor pump and no illegal or unauthorized connection has been taken by him. It is also contended that on the date of the incident, monkeys had damaged and disturbed the service wire and the pole from which the electricity connection was drawn, due to which the wire got affected and the unfortunate accident occurred, wherein the deceased Virendra Sahu came into contact with the live wire. It is



thus submitted that the incident was purely accidental in nature and there was neither any negligence nor any illegal act on the part of the present applicant and therefore, the applicant deserves to be granted anticipatory bail.

5. On the other hand, learned Panel Lawyer for the State has opposed the anticipatory bail application and submitted that the applicant had illegally drawn electricity in a negligent manner, due to which the deceased Virendra Sahu came into contact with the live wire and died due to electrocution. Considering the seriousness of the offence and the negligence on the part of the applicant, it is prayed that the anticipatory bail application be rejected.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the submissions made by learned counsel for the parties, nature of allegations and the material available on record, this Court is of the view that the incident appears to be accidental in nature and prima facie there is no material to show any intentional or deliberate act on the part of the applicant and it is also taken into consideration that the applicant had applied for a regular electricity connection and the same was provided by the Electricity Department and there is no specific material to establish that the applicant had taken any unauthorized connection. In such circumstances, without commenting on the merits of the case, this



Court deems it appropriate to allow the present anticipatory bail application.

8. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant- **Loshan Kumar Sahu**, on executing a personal bond and one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) he 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) he shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) he 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 his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

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

Sd/-
(Ramesh Sinha)
Chief Justice