



2026:CGHC:12861



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2533 of 2026**

1 - Akash Kumar S/o Shatughan Prasad Aged About 18 Years R/o
Shiv Para Station Maroda, P.S. Newai District- Durg (Chhattisgarh)

... Applicant**versus**

1 - State Of Chhattisgarh Through P.S. Newai, District- Durg
(Chhattisgarh)

... Respondent

For Applicant : Mr. Ankush Soni, Advocate
For Respondent : Mr. Amit Verma, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order On Board****18/03/2026**

Heard.

Admit.

1. This is the first bail application filed u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.278/2025 registered at Police Station Newai, District Durg (CG) for the offence punishable under Section 103(1), 3(5) of BNS, 2023.
2. As per the prosecution case, on 08.09.2025 at about 23:00 p.m., at Govt. Higher Secondary School, Station Maroda, Shivpara, Newei,



PS Durg, the applicant along with co-accused, in furtherance of their common intention, assaulted deceased Roshan Kumar by hands, fists and cement bricks causing his death. On report being lodged in this regard, the applicant was arrested on 09.09.2025.

3. Learned counsel for applicant submits that there is no direct evidence against the applicant, his implication is based solely on the 'last seen' theory propounded by a child witness, Suraj Sahu. It is further submitted that the said witness had already departed from the scene before the incident occurred. The FIR was lodged against unknown persons, and the applicant has no prior criminal antecedents. Furthermore, no incriminating articles have been seized from the possession of the applicant. He further submits that the applicant is in jail since 09.09.2025 and there is no likelihood of the trial to be concluded at the earliest. Hence, considering all these facts, the applicant may be released on bail.
4. Learned State counsel, on the other hand, opposing the bail application, submits that there are sufficient materials against the applicant, including the last seen witness Suraj Sahu and the allegation against the applicant is that he assaulted the deceased by means of cement bricks. The bail application of the other co-accused, namely Dhanush Shetty @ Dhannu, has already been rejected by this Court on 11.02.2026 in MCRC No. 1470/2026. Out of 20 witnesses, only 6 have been examined; some important witnesses have still remained to be examined. Therefore, considering the nature of offence, the applicant does not deserve to be released on bail.



5. Heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the entire facts and circumstances of the case, particularly the nature and gravity of the offence and the material collected and available on record against the applicant, without commenting on the merits of the case, this Court is not inclined to release the applicant on bail.
7. Accordingly, the present bail application stands **rejected**.
8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(**Sanjay Kumar Jaiswal**)
JUDGE

H.L. Sahu