



2026:CGHC:12695



2026:CGHC:12695

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 404 of 2026**

- Ankit Vashisth S/o Rameshchandra Vashisth Aged About 25 Years
R/o Village Baisagapara, Baikunthpur, P.S. Baikunthpur, Distt.
Koriya, Chhattisgarh.

... Applicant(s)**versus**

- State of Chhattisgarh Through Sho, P.S. Baikunthpur, Distt. Koriya,
Chhattisgarh.

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

For Applicant(s) : Mr. Pushkar Sinha, Advocate

For Respondent(s) : Mr. Shubham Bajpai, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****17/03/2026**

- This first 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.64/2026 registered at Police Station – Baikunthpur, District: Koriya, C.G. for the offence punishable under Sections 296, 351(2) of Bhartiya Nyay Sanhita and Sections 4 & 5 of Chhattisgarh Tohahi Pratadna Niwaran Adhiniyam, 2005.
- Case of the prosecution, in brief, is that the house of complainant and applicant are adjacent to each other and on 16.02.2026 at 10



A.M complainant through labour was going for construction work of her house at that time applicant restrained the labour from work and when complainant object that, then applicant utter filthy language and abused her by asking played witchcraft act in death of his mother and also attempted to assault her by bricks. Therefore, offence has been registered at Police Station Baikunthpur, under section- 296, 351 (2) of B.N.S & 4, 5 of C.G Tonahi Pratadna Niwaran Adhiniyam, 2005 and investigation is ongoing.

3. Learned counsel for the applicant submitted applicant is innocent and has falsely been implicated in the present case. It is further contended that on the date of incident the husband of complainant and complainant were going to construction over the boundary of their house, which is adjacent to the house of applicant and for that applicant has already made complaint before the authority of illegal construction and further S.D.M (Revenue) Baikunthpur has restrained the complainant from construction work by order dated 15.12.2025 and on that day applicant only ask them to comply with the order passed by the authority. Copy of the order dated 15.12.2025 passed by S.D.M (Revenue) Baikunthpur is annexed herewith as *Annexure A/3*. He also submits that due to the restrain order passed by the authority complainant has grudge upon applicant, so to make pressure upon applicant present false case has been registered against the applicant with false accusation. Moreover, complainant deliberately lodged the report for the offence under section 4 & 5 of Tonahi Pratadna Niwaran Adhiniyam as it is non bailable in nature and other offence under section 296, 351 (2) of B.N.S are bailable in nature, therefore, he submits that the present applicant is entitled to be released on anticipatory bail.



4. On the other hand, learned State counsel, appearing for the non - applicant/State, opposes the prayer for grant of anticipatory bail to the applicant.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the submissions advanced by learned counsel for the applicant and perusing the case diary as well as the material available on record, this Court finds that the dispute between the parties appears to be primarily of a civil nature arising out of construction over the boundary wall. It is also not disputed that prior to the alleged incident, an order dated 15.12.2025 was passed by the S.D.M. (Revenue), Baikunthpur restraining the complainant from carrying out construction work, and the applicant had raised objections before the competent authority. Taking into consideration the aforesaid background, the possibility of false implication of the applicant due to prior enmity cannot be ruled out at this stage. Further, except for the offences under Sections 4 and 5 of the Tonahi Pratadna Niwaran Adhiniyam, the other alleged offences are bailable in nature. There is no material on record to indicate that the applicant is likely to abscond or tamper with the prosecution evidence, therefore, I am inclined to grant anticipatory bail.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Ankit Vashist**, 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) 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 along with a coloured 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

Vaishali