



2026:CGHC:15382



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 486 of 2026

Suresh Kumar S/o Vyash Narayan, Aged About 26 Years R/o Village Bhathikuda, Thana/ Tahsil Hardibazar, District- Korba (C.G.)

... Applicant

versus

The State Of Chhattisgarh Through SHO, Police Station Urga, District- Korba (C.G.)

... Respondent

For Applicant : Shri Samir Singh, Advocate.

For : Ms. Ankita Shukla, PL.

Respondent/State

Hon'ble Shri Ramesh Sinha, Chief Justice

Order On Board

02/04/2026

1. The applicant has preferred this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of anticipatory bail, apprehending his arrest in connection with Crime No.524/2025 registered at Police Station Urga, District Korba, (C.G.) for alleged commission of offence punishable under



Sections 296, 351(3), 115(2), 3(5) and 310(2) of Bharatiya Nyaya Sanhita, 2023 (As per Charge)

2. Case of the prosecution, in brief, is that on 22.11.2025 the complainant Atal Mirja lodged a written report stating that his brother, Pritesh Mirja, was abused, threatened with death and assaulted by 5-6 unknown persons near Bharatmala/Akharapali Toll Plaza, due to which he sustained injuries and was admitted to the hospital. On the basis of the said report, an offence under Sections 296, 351(3), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 was registered and taken up for investigation. During investigation, the injured stated that the accused persons wrongfully restrained him at about 6:00 PM, assaulted him, snatched Rs. 2,000/- in cash and his VIVO V-50 mobile phone, and left him at the spot presuming him to be dead, whereupon Section 310(2) of the BNS was also added.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He would submit that the FIR was initially lodged against unknown persons and as per the MLC report, the injuries sustained by the victim are simple in nature. He would submit that co-accused Akash Lahre has been granted regular bail by this Court in MCRC No.1865/2026 on 24/02/2026. He would further submit that the applicant is a permanent resident of address mentioned in the cause title and there is no likelihood of absconding, the applicant



undertakes to abide by any conditions imposed by this Court, therefore, he submits that the present applicant is entitled for grant of anticipatory bail.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail. She would submit that the applicant has absconded and charge sheet was submitted against him as an absconder, therefore the applicant is not entitled for benefit of anticipatory bail.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts & circumstances of the case, submission of learned counsel for the parties, materials available on record, nature of allegation against the applicant, further considering the fact that charge sheet was submitted against the applicant as an absconder and also in the light of the judgment of Supreme Court in **Lavesh v. State (NCT of Delhi)**, reported in **{(2012) 8 SCC 730}** and **State of Madhya Pradesh v. Pradeep Sharma**, reported in **{(2014) 2 SCC 171}**, wherein it has been observed that where the accused has been declared as an absconder and has not cooperated with the investigation, he should not be granted anticipatory bail, therefore this Court does not find it to be a fit case to grant anticipatory bail to the applicant.



7. Accordingly, the anticipatory bail application of the applicant - **Suresh Kumar**, involved in Crime No.524/2025, registered at Police Station Urga, District Korba, (C.G.) for alleged commission of offence punishable under Sections 296, 351(3), 115(2), 3(5) and 310(2) of Bharatiya Nyaya Sanhita, 2023 is **rejected**.

Sd/-

(Ramesh Sinha)
Chief Justice

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