



2026:CGHC:17095



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3368 of 2026

Ratan Thetwar S/o Lt. Shri Laxman Thetwar, Aged About 60 Years R/o Gram Kodka, P.S. Chhuikhadan, Distt.-Khairagarh-Chhuikhadan-Gandai (C.G.). (Age Wrongly Mentioned In Order Sheet As 50 Years)

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Chhuikhadan District Khairagarh-Chhuikhadan-Gandai-Gandai (C.G.)

... Respondent(s)

For Applicant	:	Mr. Kartik Kathuria, Advocate
For Respondent	:	Mr. Dharmesh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

15.04.2026

1. This is the second 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.87/2025 registered at Police Station Chhuikhadan, District Khairagarh-Chhuikhadan-Gandai (CG) for the offence



punishable under Sections 296, 115(2), 351(3), 103(1), 118(1) r/w 3(5) of BNS.

2. The first bail application of the applicant was dismissed as withdrawn vide order dated 03.02.2026 in MCRC No.1151/2026.
3. As per the prosecution case, on 17.04.2025, while the complainant Bishru Sahu was sitting near his newly constructed house with his family, the applicant and his son Rajendra Thetwar arrived there. They began verbally abusing the complainant's wife, over a land dispute. When the complainant and his sons, Arun and Jivan, intervened, the accused threatened to kill them and physically assaulted Arun (the deceased) with their fists. Further, one of the accused bit Jivan Sahu's finger. The assault resulted in bleeding injuries to Arun's face (near the left eye) and Jivan's middle finger. Arun Sahu was subsequently hospitalized, where he succumbed to his injuries during treatment on 18.04.2025. Based on the report lodged by the complainant, an FIR was registered against the accused persons for the alleged offences.
4. Learned counsel for applicant submits that the applicant is innocent and has been falsely implicated in the case due to a pre - existing land dispute between the parties. He submits that the complainant is the father of the deceased and he had not mentioned any head injury or use of a stick for assaulting the deceased in the FIR whereas his subsequent statement before



the trial Court is contrary. He submits that the deceased was heavily intoxicated and that the complainant's party provoked the accused, leading to the incident. He points out that according to the post-mortem report, the injuries sustained were simple in nature. He submits that co-accused Rajendra Thetwar has already been granted bail vide order dated 10.11.2025 in MCRC No.7973/2025. He further submits that there are total 18 prosecution witnesses out of which only 2 have been examined, the applicant is in jail since 19.04.2025 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.

5. On the other hand, learned State counsel opposes the bail application, submitting that the applicant is the main accused who assaulted the deceased with a stick which was subsequently seized from his possession. He submits that there is direct evidence to the incident, specifically, the father of the deceased, an eye witness who has supported the case of prosecution in his statement recorded before the trial Court. Further, the post-mortem report confirms that the death was homicidal. Therefore, considering the gravity of the offence, the applicant does not deserve to be released on bail. However, he submits that the applicant has no previous criminal record.
6. Heard learned counsel for the parties and perused the case diary.



7. Taking into consideration the entire facts and circumstances of the case, particularly the nature and gravity of offence and the material collected and available on record against the applicant, this Court is not inclined to release the applicant on bail.
8. Accordingly, the present bail application stands **rejected**.
9. However, the Trial Court is directed to expedite the trial and to ensure that the trial is concluded as expeditiously as possible.
10. The Registry is directed to send a certified copy of this order to the trial Court concerned for necessary information.

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

Khatai