



2026:CGHC:23391

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Reserved on 15.05.2026****Pronounced on 19-05-2026****MCRC No. 2105 of 2026**

1 - Amit Baghel S/o Shri Ramkumar Baghel Aged About 53 Years R/o Kanchanganga Phase- 2, Saraswati Shishu Mandir, Rohinipuram, P.S. Dd Nagar, Raipur, District- Raipur Chhattisgarh- 492001 (Currently Under Judicial Custody At Central Jail, Raipur (C.G.)) (Wrongly Mentioned In Annexure A/1)

--- Applicant(s)**versus**

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda- Bazar, District Balodabazar- Bhatapara, Chhattisgarh

--- Non-applicant(s)**MCRC No. 3441 of 2026**

1 - Amit Baghel S/o Ramkumar Baghel Aged About 50 Years R/o Kanchanganga Phase-2, P.S. Saraswati Shishu Mandir, Rohinipuram, P.S. Dd Nagar, Raipur, District-Raipur Chhattisgarh-492001, (Currently Under Judicial Custody At Central Jail Raipur (C.G.))

--- Applicant(s)**Versus**

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda-Bazar, District-Balodabazar- Bhatapara, Chhattisgarh

---- Non-applicant**MCRC No. 3426 of 2026**

1 - Ajay Yadav S/o. Shri Ramkumar Yadav Aged About 51 Years R/o. Dharam Nagar, Pachpedi Naka, P.S. Tikrapara, District- Raipur, Chhattisgarh 492001, (Currently Under Judicial Custody At Sub-Jail, Baloda-Bazar (C.G.)

--- Applicant(s)**Versus**

1 - State Of Chhattisgarh Through- Station House Officer, Police Station City Kotwali, Baloda-Bazar, District- Balodbazar-Bhatapara Chhattisgarh.

---- Non-applicant

MCRC No. 3114 of 2026

1 - Dinesh Kumar Verma Alias Mandal S/o Late Chaitram Verma Aged About 51 Years R/o Siltara, P.S. Dharsiwa, Distt. Raipur, Chhattisgarh, Current Address Hall Mukam Dubey Colony, Behind Sarvoday Hospital, Apartment Mod Mova, P.S. Mova, Raipur, Chhattisgarh (Currently Under Judicial Custody At Sub Jail, Baloda Bazar, Chhattisgarh.)

--- **Applicant(s)**

Versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. City Kotwali, Baloda Bazar, Distt. Balodabazar Bhatapara, Chhattisgarh.

---- **Non-applicant**

MCRC No. 2262 of 2026

1 - Amit Baghel S/o Ramkumar Baghel Aged About 53 Years (Age Wrongly Mentioned In A/1) R/o Kanchanganga Phase-2, Saraswati Shishu Mandir, Rohinipuram, P.S. D.D. Nagar, Raipur, District Raipur Chhattisgarh 492001 (Currently Under Judicial Custody At Central Jail, Raipur Chhattisgarh)

--- **Applicant(s)**

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda-Bazar, District Balodabazar-Bhatapara, Chhattisgarh

---- **Non-applicant**

MCRC No. 2266 of 2026

1 - Amit Baghel S/o Shri Ramkumar Baghel Aged About 50 Years R/o Kanchanganga Phase-2, Saraswati Shishu Mandir, Rohinipuram, P.S. Dd Nagar Raipur District- Raipur(Currently Under Judicial Custody At Cetral Jail, Raipur (Cg)

--- **Applicant(s)**

Versus

1 - State Of Chhattisgarh Through-Station House Officer, P.S. City Kotwali, Baloda Bazar, District- Balodabazar-Bhatapara (Cg)

---- **Non-applicant**

MCRC No. 3178 of 2026

1 - Ajay Yadav S/o Shri Ramkumar Yadav, Aged About 51 Years R/o Dharam Nagar, Pachpedi Naka, P.S. Tikrapara, District- Raipur, Chhattisgarh - 492001, (Currently Under Judicial Custody At Sub Jail, Balodabazar (C.G.)

--- **Applicant(s)**

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda Bazar, District- Balodabazar - Bhatapara , Chhattisgarh

---- Non-applicant

MCRC No. 3170 of 2026

1 - Ajay Yadav S/o Shri Ramkumar Yadav Aged About 51 Years R/o Dharam Nagar, Pachpedi Naka, P.S. Tikrapara, Distt. Raipur, Chhattisgarh. 492001, (Currently Under Judicial Custody At Sub-Jail, Baloda Bazar, Chhattisgarh.)

--- Applicant(s)

Versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. City Kotwali, Baloda Bazar, Distt. Balodabazar Bhatapara, Chhattisgarh.

---- Non-applicant

MCRC No. 3166 of 2026

1 - Ajay Yadav S/o Shri Ramkumar Yadav, Aged About 51 Years R/o Dharam Nagar, Pachpedi Naka, P.S. Tikrapara District Raipur, Chhattisgarh- 492001, (Currently Under Judicial Custody At Sub-Jail, Baloda Bazar, C.G.)

--- Applicant(s)

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda-Bazar, District Balodabazar- Bhatapara, Chhattisgarh.

---- Non-applicant

For Applicants	: Shri Harshwardhan Parganiha and Miss Manubha Shankar, Advocates
For State	: Shri Praveen Das, Additional Advocate General with Mr. Kalpesh Ruparrel and Dr. Smt. Richa Pandey, Panel Lawyers

Hon'ble Shri Justice Narendra Kumar Vyas**C.A.V. ORDER**

1. Since the applicants are one and the same in different FIRs registered against them for committing offence at different places on same day therefore, the bail applications are heard analogously and

being decided by this common order.

2. The applicants have preferred the first bail applications under Section 483 of the Bhartiya Nagrik Surakhsa Sanhita, 2023 (BNSS) for grant of regular bail. The details of the applicants with MCRC No., Name, Crime No., offences and date of arrest are tabulated below:-

Case No.	Name of the applicant	Crime No.	Offences u/S	Date of arrest
MCRC/ 2105/2026	Amit Baghel	380/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 294, 307, 332, 333, 353, 427, 435, 436, 440, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	03.02.2026
MCRC/ 2262/2026	Amit Baghel	379/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 186, 332, 353, 307, 435, 436, 294, 506 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984 and Section 2 of the Prevention of Insults to national Honour Act, 1971	03.02.2026
MCRC/ 2266/2026	Amit Baghel	378/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 186, 332, 333, 353, 440, 435, 307, 395, 152, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	14.01.2026
MCRC/ 3114/2026	Dinesh Kumar Verma	378/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 186, 332, 333, 353, 440, 435, 307, 395, 152, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	11.01.2026
MCRC/ 3166/2026	Ajay Yadav	378/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 186, 332, 333, 353, 440, 435, 307, 395, 152, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	11.01.2026
MCRC/ 3170/2026	Ajay Yadav	380/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G.)	147, 148, 149, 294, 307, 332, 333, 353, 427, 435, 436, 440, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	03.02.2026
MCRC/ 3178/2026	Ajay Yadav	379/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar-	147, 148, 149, 186, 332, 353, 307, 435, 436, 294, 506 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to	03.02.2026

		Bhatapara (C,G,)	Public Property Act, 1984 and Section 2 of the Prevention of Insults to national Honour Act, 1971	
MCRC/ 3426/2026	Ajay Yadav	383/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G,)	147, 148, 149, 186, 395, 353, 332, 435, 440, 307, 152, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	17.03.2026
MCRC/ 3441/2026	Amit Baghel	383/2024 P.S. - City Kotwali, Baloda Bazar, District – Balodabazar- Bhatapara (C,G,)	147, 148, 149, 186, 395, 353, 332, 435, 440, 307, 152, 120B of the IPC and Sections 03, 04 of the Prevention fo Damage to Public Property Act, 1984	17.03.2026

3. As per the prosecution case, different FIRs have been registered against the applicants for committing offence at different places on same day. The brief prosecution case of different FIRs is as under:-

(I) **FIR No. 380/2024** was lodged at the instance of the Deputy Superintendent of Police Ms. Sushanta Lakra on 10.06.2024 alleging that approximately 7,000 to 8,000 protesters gathered at Dussehra Maidan, Balodabazar on 10.06.2024, demanding action against the offenders who damaged the Jaitkham of Amar Gufa at Girodpuri Dham of the Satnami community and some other demands. It is alleged that some of the agitators, entered into a criminal conspiracy, obstructed government work, hurled filthy abuses, and started pelting sticks, stones, and iron rods at the police personnel. Becoming aggressive, they vandalized and caused damage to motorcycles, cars, government vehicles, and private vehicles parked in the Collectorate office and the Superintendent of Police office premises. They also set afire the vehicles and the Collectorate building using matchsticks. The police force deployed at the spot made all possible efforts to control the situation, but the agitators, with the intention to commit murder and acting in furtherance of their common object,

assaulted the police personnel with sticks, stones, and iron rods, caused injuries to them. On the basis of the said report, an offence was registered and the matter was taken up for investigation. During the course of investigation, statements of witnesses were recorded, CCTV footage of the incident spot was examined, and on the basis of informer's information, the accused persons involved in the incident were apprehended and formally arrested, and intimation of their arrest was given to their family members. During investigation, additional sections were also invoked. It was further revealed during investigation that, apart from the already named accused persons, other accused were also involved in the offence. In this regard, further investigation was carried out, and a supplementary charge-sheet under Section 173(8) of the Code of Criminal Procedure was prepared and submitted before the Court 29.04.2026. During further investigation as per the call details and statement of witnesses, prima facie, the presence of the applicants at the place of occurrences and their active participation was reflected. Therefore, finding it necessary to arrest the accused Ajay Yadav and Amit Baghel and other accused persons a production warrant and permission for their arrest were obtained from the Court, and they were accordingly arrested.

(II) **FIR No. 379/2024** was lodged at the instance of complainant Kanhaiya Lal, Office Superintendent Collectorate Balodabazar alleging the facts as reflected in the FIR No. 380/2024 therefore, to avoid multiplicity of the facts this Court is not referring to the contents of the FIR in extensive. During further investigation, from the call details and the statement of witnesses which prima facie indicated the availability and active participation of the accused Amit Baghel,

along with other accused persons, at the Office of District Collector, Balodabazar, as well as at various other locations connected with the offence, they have been implicated in the instant FIR.

(iii) **FIR No. 378/2024** was lodged at the instance of Amit Patle, Thana Incharge, Bhatapara Rural who was deployed at the Chakrapani School Square alleging the facts as reflected in the FIR No. 380/2024. During further investigation, from the call details and the statement of witnesses prima facie the availability and active participation of the accused Amit Baghel, Ajay Yadav and Dinesh Kumar Verma along with other accused persons at the Chakrapani School Square and near Tahsil Office, as well as at various other locations connected with the offence were indicated, therefore, they have been implicated in the instant FIR.

4. Similarly **FIR No. 383/2024** was lodged at the instance of complainant Nivesh Koreti, Tahsildar Lavan reiterating the facts as reflected in FIR No. 380/2024 further alleging that his car bearing registration No. CG 07 CC 0241 which was parked at Tahsil Office and other 04-05 vehicles were torched to ashes by the protesters. During further investigation, from the call details and the statement of witnesses prima facie the availability and active participation of the accused Amit Baghel and Ajay Yadav along with other accused persons at Tahsil Office as well as Office of Dy. Director Agriculture Department and Business Premises at Balodabazar were reflected, therefore, they have been implicated in the instant FIR.
5. This Court has directed the State to file an affidavit to demonstrate the conduct of the applicants and in compliance of the order passed by this Court, the State has filed an affidavit on 25.03.2026 wherein they have stated that as per the statement of Inspector Pranali

Vaidh, Incharge Cybercell and Inspector Lakesh Kewat, SHO Simga the present applicant Amit Baghel along with his associates including Ajay Yadav was key instigator and active participant in provoking the assembly to indulge in arson, assault and destruction at the Collectorate Premises. In another affidavit they have stated that as per the Statement of Kesar Parag Banjar, Inspector, Reserve Centre and Shashank Singh, Inspector Station House Officer, Police Station Lawan the present applicant Amit Baghel along with his associates including Ajay Yadav was present at the spot and active participant in provoking the assembly by raising slogans and exhorting them to indulge in arson, assault and destruction at the Joint District Office premises.

6. The State has filed affidavit on 17.04.2026 wherein they have stated that as per the statement of Nidhi Nag, SDO (P), Balodabazar, Ajay Jha, Inspector, Naresh Diwan, Thana Incharge, Usha Thakur, Reserved Inspector, Dev Narayan Dhruw, Constable, Aman Chain Turkey, Constable and other witnesses Vasudev Singh Thakur, Satyam Sahu and others, they had seen the accused Amit Baghel was indulged in the act of provocation on whose instigation the crowd turned violent and broke the barricades and caused damages to the government and private vehicles at public premises.
7. The State has filed reply on 25.04.2026 in MCRC No. 3114/2026 (Dinesh Kumar Verma vs. State of Chhattisgarh) wherein they have stated that as per the statement of Naresh Diwan, SHO, Hemant Patel, Inspector, constables Rohit Nishad and Vinay Kumar Patel, the applicant Dinesh Kumar Verma was duly present on 10.06.2024 and was actively participating in hostile activity. The injured witness Devnarayan Dhruw, constable has clearly stated that the applicant

Dinesh Kumar Verma was present on the spot along with other co-accused applicant Amit Baghel and they were instigating the crowd.

8. Learned counsel for the applicants would submit that the arrest of the applicants is wholly unjustified and contrary to settled law as laid down by the Hon'ble Supreme Court in ***Joginder Kumar v. State of U.P. and Siddharth v. State of U.P.* {(1994) 4 SCC 260}**, ***Mohd. Zubair vs. State (NCT of Delhi)* {(2023) 16 SCC 764}**, ***Siddharth vs. State of U.P.* {(2022) 1 SCC 676}**, ***Mihir Rajesh Shah vs. State of Maharashtra* {(2025 SCC OnLine SC 2356)}**. As per the settled position of law arrest is not to be made in a routine manner but must be backed by necessity, which is completely absent in the present case. He would submit that the arrest of the present applicants is arbitrary, malafide and politically motivated, in fact, the applicants have never been projected or described as principal accused at any stage of proceedings. There is no material to show that custodial interrogation is required, nor is there any apprehension of the applicants absconding, influencing witnesses, or tampering with evidence.
9. He would further submit that the implication of the applicants is clearly belated and appears to be an afterthought, lacking any prima facie material. He would further submit that the applicants fulfill the well settled triple test yardstick as held by the Hon'ble Supreme Court in case of ***Sanjay Chandra vs. CBI* {(2012) 1 SCC 40}**, ***P. Chidambaram vs. CBI* {(2020) 13 SCC 337}** and ***Javed Gulam Nabi Shaikh vs. State of Maharashtra* {(2024) 9 SCC 813}**. Further, similarly placed co-accused have already been granted bail by the Hon'ble Supreme Court in SLP (Cr.) No. 14169/2024 and this

Court in MCRC No. 8118 of 2024 vide order dated 29.01.2025 and also MCRC No. 5783 of 2025 and connected bail petition on 21.08.2025 wherein coaccused Novil Kumar Navrang who remained in jail for 2 months and 4 days, therefore, the present Applicants are entitled to claim parity. He would further submit that it is also settled law that detailed appreciation of evidence is not required at the stage of bail.

10. He would further submit that the entire case of prosecution is based on confessional statements made by co-accused having no substantive value. The trial is yet to commence and there is no likelihood of its conclusion in near future, therefore, a prolonged pre-trial incarceration may amount to punitive pre-trial imprisonment violating Article 21 of the Constitution of India. He would further submit that the applicant Amit Baghel was neither involved in the commission of alleged offence nor he was present at the place of incident as he was available in the Registrar's Office for execution of sale deed by his wife Smt. Ishwari Baghel in favour of Sanjay Kumar Soni on 10.06.2026 from 12:00 pm to 03:00 pm at the time of incident, therefore, contention of the prosecution that applicant Amit Baghel was involved in such incident is far from truth and he has been maliciously prosecuted by the prosecution for the reasons best known to them. Thus, he would pray for to enlarge the Applicants on bail.

11. On the other hand, learned counsel for the State opposing the bail applications would submit that the materials collected by the prosecution clearly suggests the involvement of the present applicants. He would further submit that there are 17 criminal antecedents against applicant Amit Baghel, 13 criminal antecedents

against applicant Ajay Yadav and 1 criminal antecedent against applicant Dinesh Kumar Verma, the investigation is still in progress against them, there is strong possibility of unearthing further evidence relating to the larger conspiracy, and would pray that their bail applications may kindly be rejected. He would further submit that the coordinate Bench of this Court has also rejected the bail petitions filed by applicant Amit Baghel in MCRC No. 2145 of 2026 and other connected cases vide order dated 09.04.2026 however, he has been granted conditional parole for three months from the date of release on temporary bail/parole on an undertaking that he will surrender before the concerned trial Court on the dates given by the trial Court on furnishing a personal bond with two sureties. Thus, he would submit that there is sufficient material against the applicant Amit Baghel, Ajay Yadav and Dinesh Kumar Verma as well as other co-accused and would pray for rejection of the bail applications.

12. I have heard learned counsel for the parties and also perused the case diary with utmost circumspection.
13. From the case diary and the affidavits filed by the State it is prima facie reflected that they are the key persons to instigate the mob for commission of such heinous offence causing loss to the public property as well as assault to the police personnel while discharging their official duties. As such, the submission made by the learned counsel for the applicants that applicant Amit Baghel was busy in registration of sale deed from 12:00 to 3:00 pm on the said date as such he was not involved deserves to be rejected as from perusal of the document filed by the applicant, presence of the applicant is nowhere reflected at the Registration office at the time of incident happened at various places of Balodabzar district. It is pertinent to

mention here the document filed by the applicants pertains to registration of sale deed by his wife Smt. Ishwari Baghel in favour of Sanjay Kumar Soni at the time of incident.

14. Though, at the stage of consideration of bail, the evidence cannot be appreciated but if prima facie material available in the case diary does not rule out the involvement of the applicant for commission of offence, the bail can be declined. Apart from this, other parameters like gravity and seriousness of the offence and its effect on society has to be seen. From the diary, it is quite vivid that the applicants Amit Baghel and Ajay Yadav were office bearers of Chhattisgarh Kranti Sena and the entire allegation of instigation of heinous offence of riotous behaviour by the mob causing loss to the public property as well as affecting peace and tranquility of the district was levelled against them.
15. The further submission of the learned counsel for the applicants for grant of bail on the basis of parity with other accused who have been granted bail in 2½ months or bail granted by this Court in MCRC 8118/2024 (Jitendra Banjare vs. State of C.G.) and other connected bail applications is being considered by this Court. It is reflected from the records in those cases the applicants were arrested from 13.06.2024 to 15.07.2024 and this Court has granted bail to them on 29.01.2025 that after about 7 months whereas the present applicants remained in incarceration for about 4 months only. Further submission of the applicants that they are entitled to claim parity in view of the bail granted by this Court to another accused namely Novil Kumar Navrang within 2 months and 4 days also deserves to be rejected as in that case no past criminal antecedent of the applicant was placed on record by the prosecution whereas in the

present case against Amit Baghel 17 cases, against Ajay Yadav 13 cases and against Dinesh Kumar Verma 1 case, are pending. Thus, from any angle, the applicants cannot claim parity with other applicants to whom this Court has granted bail fortified by the fact that the coordinate Bench of this Court in other bail applications filed by the applicant Amit Baghel has rejected the same though he has been granted parole.

16. From the case diary, material collected by the prosecution and role alleged against them and also considering the law laid down by the Hon'ble Supreme Court that where number of persons are involved in the crime, the individual's role has to be seen. The Hon'ble Supreme Court in case of **Gulfisha Fatima vs. State (Govt. of NCT of Delhi) {2026 INSC 2 }** has held as under :-

426. The present batch of appeals has required the Court to engage with questions that lie at the intersection of personal liberty and collective security. The guarantee of liberty enshrined under Article 21 of the Constitution is of foundational importance, and no constitutional court can be unmindful of the gravity of restraining liberty before guilt is adjudicated. At the same time, the Constitution does not conceive liberty in isolation. The security of the community, the integrity of the trial process, and the preservation of public order are equally legitimate constitutional concerns. When bail is sought in prosecutions governed by a special statute, the Court is required to undertake a difficult and sensitive balancing exercise, conscious that neither liberty nor security admits of absolutism.

427. While undertaking this exercise, the Court cannot proceed on any consideration except restricting the contours of inquiry confining to law. Where Parliament has prescribed a distinct statutory threshold for the grant of bail, and where the prosecution places prima facie material suggesting organised and deliberate activity affecting public order and security of the Nation, the Court cannot turn a Nelson's eye to such material merely because incarceration is prolonged or liberty is invoked in the abstract. Equally, where continued detention is not shown to be necessary to serve a legitimate purpose recognised by law, the Court must not hesitate to restore liberty, subject to stringent conditions that safeguard the larger public interest.

428. The position of law that emerges may be stated with clarity. The right to personal liberty enshrined under Article 21 is of seminal importance, and prolonged pre-trial incarceration is a

matter of serious constitutional concern. At the same time, where Parliament has, in the context of a special statute, conditioned the grant of bail upon the satisfaction of a defined statutory threshold, a constitutional court cannot treat such restraint as avoidable. Section 43D(5) of the Unlawful Activities (Prevention) Act, 1967, represents a legislative judgment that offences alleged to implicate the security of the State warrant a distinct bail regime. The constitutional role of the Court, therefore, is neither to mechanically enforce the statutory embargo nor to neutralise it by invocation of liberty as straight-jacket formula, but to apply it with disciplined scrutiny. Where the prosecution material, taken at face value, discloses reasonable grounds for believing the accusation to be *prima facie* true, the statutory restraint must ordinarily operate. Where it does not, liberty must prevail. Article 21 thus commands the manner of application of the statute; it does not dissolve the statutory condition itself.

430. This Court is satisfied that the prosecution material, taken at face value as required at this stage, discloses a *prima facie* attribution of a central and formative role by the appellants in appeals arising out of SLP (Crl.) No. 14165 of 2025 and SLP (Crl.) No. 14030 of 2025 i.e., Umar Khalid and Sharjeel Imam in the alleged conspiracy. The material suggests involvement at the level of planning, mobilisation, and strategic direction, extending beyond episodic or localised acts. The statutory threshold under Section 43D (5) of the Unlawful Activities (Prevention) Act, 1967, therefore stands attracted qua these appellants.

431. While the period of incarceration undergone by these appellants is substantial and has been duly considered, the Court is not persuaded that, on the present record, continued detention has crossed the threshold of constitutional impermissibility so as to override the statutory embargo. The complexity of the prosecution, the nature of evidence relied upon, and the stage of the proceedings do not justify their enlargement on bail at this juncture as noticed in detail in the discussion made hereinabove. Hence, the appeals arising out of SLP (Crl.) No. 14165 of 2025 and SLP (Crl.) No. 14030 of 2025 stands rejected.

432. We reiterate that courts are under a constitutional obligation to ensure that criminal proceedings, particularly those involving prolonged pre-trial incarceration, should progress with utmost expedition and the accused are not left to languish in jail. At the same time, the Court is mindful that pre-trial detention, even when justified by statute, cannot be permitted to continue without regard to the progress of the trial. The restraint on liberty contemplated by law must proceed alongside a meaningful advancement of the prosecution. In the present case, having regard to the reliance placed upon protected witnesses, this Court considers it appropriate to provide a defined point for consideration of their prayer for grant of bail. We are of the opinion that on the completion of the examination of the protected witnesses relied upon by the prosecution, or upon the expiry of a period of one year from the date of this order, whichever is earlier, these two appellants would be at liberty to renew their prayer for grant of bail before the jurisdictional Court. In the event of such prayer being made it shall be considered on its own merits, having regard to the

stage then reached in the proceedings before the Trial Court, and without being influenced by the impugned orders or the present order. This course gives effect to the statutory discipline embodied in Section 43D(5) of UAPA while ensuring that the constitutional guarantee under Article 21 operates as a continuing check against continued incarceration without there being any substantial progress of the trial.

17. Considering the role attributed to the applicants that they are allegedly involved in instigating the mob of about 7000-8000 people for committing such rioting, assault on the police personnel and damages to the public property to the tune of Rs. 13-15 crores as reflected from the affidavit and the materials placed on record due to which the peace and tranquility at Balodabazar district was very badly disturbed, also, looking to the gravity and seriousness of the offence, duration of their incarceration period, existence of criminal antecedents, I am of the view that the applicants are not entitled to be released on bail.
18. Accordingly, MCRC No. 2105 of 2026 (Amit Baghel vs State of Chhattisgarh), MCRC No. 3441 of 2026 (Amit Baghel vs State of Chhattisgarh), MCRC No. 3426 of 2026 (Ajay Yadav vs State of Chhattisgarh), MCRC No. 3114 of 2026 (Dinesh Kumar Verma vs State of Chhattisgarh), MCRC No. 2262 of 2026 (Amit Baghel vs State of Chhattisgarh), MCRC No. 2266 of 2026 (Amit Baghel vs State of Chhattisgarh), MCRC No. 3178 of 2026 (Ajay Yadav vs State of Chhattisgarh), MCRC No. 3170 of 2026 (Ajay Yadav vs State of Chhattisgarh) and MCRC No. 3166 of 2026 (Ajay Yadav vs State of Chhattisgarh) are rejected.
19. It is made clear that any opinion made by this Court shall not restrain the trial Court to examine the case on its merit. The observation made by this Court is just to examine the defence taken by the

applicants while making submission for consideration of bail applications.

**Sd/-
(Narendra Kumar Vyas)
Judge**

Deshmukh