



2026:CGHC:21481

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3427 of 2026**

1 - Ajay Kumar Sahu S/o Shri Ramswaroop Shau, Aged About 26 Years R/o Village-Maldi, Thana And Tahsil-Bilaigarh, Distt. Sarangarh-Bilaigarh (C.G.)

2 - Chiranjiv Kumar Sahu @ Harish Sahu S/o Shri Budeshwar Sahu, Aged About 20 Years R/o Village-Maldi, Thana And Tahsil-Bilaigarh, Distt. Sarangarh-Bilaigarh(C.G.)

3 - Omesh Kumar Sahu @ Lala S/o Shri Shankar Lal Sahu, Aged About 20 Years Village-Maldi, Thana And Tahsil-Bilaigarh, Distt.-Sarangarh-Bilaigarh (C.G.)

4 - Deepak Yadav S/o Shri Bhagirathi Yadav, Aged About 26 Years R/o Village-Maldi, Thana And Tahsil-Bilaigarh, Distt.-Sarangarh Bilaigarh (C.G.)

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

The State Of Chhattisgarh Through Station House Officer Police Station-Bilaigarh, Distt. Sarangarh-Bilaigarh (C.G.)

... Non-applicant(s)

For Applicants	: Mr. Sunil Sahu, Advocate.
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board**



07.05.2026

1. The applicants have preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 06/2026, registered at Police Station : Bilaigarh, District- Sarangarh-Bilaigarh (C.G.) for the offence punishable under Sections 126(2), 191(2), 191(3), 190, 118(1), 109(1), 61(2) of BNS, 2023.

2. The prosecution story, in brief, is that the complainant namely Puleshwar Verma lodged a report alleging that he had earlier made a complaint against the village Sarpanch, due to which the accused persons were bearing grudge and enmity against him. It is alleged that on 03.01.2026, the present applicants namely Ajay Kumar Sahu, Chiranjiv Kumar Sahu, Omesh Kumar Sahu @ Lala and Deepak Yadav, along with other co-accused persons namely Darash Yadav, Vijay Sahu, Bhagirathi Yadav, Umesh Sahu, Vijay Sahu, Sahetter Sahu, wrongfully restrained the complainant on the way and started quarreling with him on the issue of making complaint against the Sarpanch. During the course of the incident, co-accused Sahetter Sahu allegedly took out a knife from his pocket and assaulted the complainant, due to which he sustained injuries on his left shoulder and abdomen. Thereafter, when the complainant Puleshwar Verma informed his father Maniram Verma and his elder father Shobhit Ram Verma about the said incident and was proceeding to lodge the report at the police station along with them, the present applicants along with other co-accused persons



again intercepted their way, abused them in filthy language relating to mother and sister and with common intention and with intention to commit their murder, assaulted the complainant Puleshwar Verma and his family members namely Maniram Verma and Shobhit Ram Verma by means of lathi, sticks and stones, as a result of which all the injured persons sustained serious injuries on their heads and started bleeding profusely. On perusal of the case diary, it is reflected that the present applicants caused injuries to the injured persons namely Puleshwar Verma, Maniram Verma and Shobhit Ram Verma. It is further revealed that since the injured persons had sustained head injuries and their condition was serious, they were referred to higher centre for medical treatment. The medical reports annexed with the case diary reveal that injured Puleshwar Verma sustained simple injuries, whereas injured Maniram Verma and Shobhit Ram Verma sustained grievous and life-threatening injuries. On the basis of the said report, the police registered Crime No. 06/2026 against eight persons. The applicants were arrested on 08.01.2026 and after completion of investigation, charge-sheet has been filed.

- 3.** Learned counsel for the applicants submits that the present applicants have been falsely implicated in the present case only because they are supporters and relatives of the Sarpanch of Gram Panchayat Maldi and applicant No.1 is the son of the said Sarpanch. It is further submitted that there is a case and counter-case between the parties and on the basis of the report lodged by co-accused Sahettar Sahu, Crime No. 07/2026 has also been



registered against the complainant party under Sections 115(2), 296, 3(5) and 351(2) of the BNS, as the complainant side were the aggressors and had caused injuries to Sahettar Sahu on 03.01.2026 while he was returning from village Maldi. He further submits that the main allegation regarding assault by knife and causing injuries is specifically against co-accused Sahettar Sahu and the present applicants have been implicated merely on the ground of their relationship and support to the Sarpanch. It is also submitted that as per the prosecution case itself, the allegation against the present applicants is only of assault by hands, fists and stick, whereas the co-accused Sahettar Sahu, who allegedly caused injuries by knife to the injured persons. It is further contended that injured Puleshwar Verma sustained only simple injuries and though other injured persons sustained injuries, nowhere in the medical reports it has been mentioned that the injuries were dangerous to life and therefore prima facie offence under Section 109 of BNS is not made out. He further submits that the applicants have not caused any specific injury to the injured persons and have been falsely implicated merely due to their presence at the place of occurrence. It is also argued that considering the material available on record, the injuries do not fall within the definition of grievous hurt as provided under Section 116 of BNS and the injured persons were discharged from the hospital within 3-4 days. Learned counsel further submits that similarly situated co-accused persons namely Vijay Sahu and Daras Yadav have already been granted bail by this Court vide order dated



20.04.2026 passed in MCRC No. 3500/2026 and co-accused Bhagirathi Yadav has also been enlarged on bail vide order dated 08.04.2026 passed in MCRC No. 3113/2026, therefore, on the ground of parity also the present applicants are entitled to be released on bail. It is lastly submitted that the applicants have no criminal antecedents, charge-sheet has already been filed and there is no likelihood of tampering with the prosecution evidence, hence they may be released on bail.

4. On the other hand, learned Panel Lawyer opposed the prayer for grant of bail and submits that the present applicants along with other co-accused persons formed an unlawful assembly and assaulted the complainant party with deadly weapons. It is further submitted that due to previous enmity arising out of complaint made against the Sarpanch, the injured persons were brutally assaulted and sustained serious head injuries, due to which they were referred to higher centre for treatment. He further submits that specific allegations are levelled against the present applicants regarding assault by hands, fists and stick and looking to the nature and gravity of offence, their bail application deserves to be rejected.
5. I have heard learned counsel for the parties and perused the case-diary.
6. Considering the facts and circumstances of the case, nature and gravity of allegations levelled against the present applicants, the specific allegation against the co-accused Sahettar Sahu of causing injury by knife, the allegation against the present applicants of assault by hands, fists and stick, the medical reports of the injured



persons, the fact that charge-sheet has already been filed, absence of criminal antecedents on the part of the present applicants and further taking into consideration that similarly situated co-accused persons namely Vijay Sahu and Daras Yadav have already been granted bail by this Court vide order dated 20.04.2026 passed in MCRC No. 3500/2026 and co-accused Bhagirathi Yadav has also been enlarged on bail vide order dated 08.04.2026 passed in MCRC No. 3113/2026, thus without commenting anything on the merits of the case, this Court is inclined to allow the present bail application.

7. Let applicants, **Ajay Kumar Sahu, Chiranjiv Kumar Sahu, Omesh Kumar Sahu @ Lala** and **Deepak Yadav**, involved in Crime No. 06/2026, registered at Police Station : Bilaigarh, District-Sarangarh-Bilaigarh (C.G.) for the offence punishable under Sections 126(2), 191(2), 191(3), 190, 118(1), 109(1), 61(2) of BNS, 2023, be released on bail on furnishing **personal bond** with **two sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicants shall remain present before the trial court on each date fixed, either personally or through



their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberated or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**