



2026:CGHC:20710

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 665 of 2026**

Satish Dahariya Son Of Late Shri Bhulauram Dahariya Aged About 31 Years Resident Of Jarhabhata, Mini Basti, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh

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

State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur Chhattisgarh

... Non-applicant(s)

For Applicant : Mr. Jitendra Banjara, Advocate.

For Non-applicant/State : Ms. Sameeksha Gupta, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order On Board****04/05/2026**

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 1360/2025 registered at Police Station – Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 191(2), 221, 132, 296, 351(2) and 299 of BNS.
2. The prosecution story, in brief, is that an FIR bearing Crime No.



645/2025 was registered against Ashutosh Chaitanya for offences punishable under Section 353(2) of the BNS and Section 3(1)(द)(घ) (प) of the SC/ST Act, wherein it is alleged that the said Ashutosh Chaitanya used derogatory words against members of the SC/ST community. It is further alleged that on 15.11.2025, when Pt. Ashutosh Chaitanya was produced before the Special Court, Bilaspur at about 04:30 PM, persons from both sides were present in the Court premises and the situation became tense, as both parties allegedly turned aggressive, abused each other and used force against the police and administration. It is also alleged that the present applicant was present at the Court premises at the relevant time and joined in abusing the opposite party, pursuant to which the police registered an FIR against the applicant and other persons for the aforesaid offence.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely and deliberately implicated in the present case. It is submitted that the applicant is employed as a car driver of Advocate Hemant Divya and in that capacity, he visits the District Court, Bilaspur regularly on every working day, at the time of the alleged incident, he was merely standing near his vehicle in the usual course of his duty. It is further submitted that the main accused, Ashutosh Chaitanya, has already been granted bail by the trial Court and that the entire dispute arose when derogatory words were allegedly used against the community. It is also submitted that on 15.11.2025, the situation escalated as the opposite party became aggressive and used filthy language within the Court



premises and due to the failure of the police to maintain law and order, the incident took place, resulting in registration of crime against the opposite party as well. It is further contended that the co-accused persons have already been granted bail by this Court in M.Cr.C. (A) No. 1949/2025 and M.Cr.C. No. 8/2026, copies whereof are filed as Annexure A-4 collectively. It is lastly submitted that the investigation in the present case has been completed and the charge-sheet has already been filed and therefore, no custodial interrogation of the applicant is required.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail and submits that the allegation against the present applicant is that he was present at the Court premises at the time of the incident and actively participated in abusing the opposite party and further joined the unlawful assembly which turned aggressive, used force against the police and administration and disturbed public order. It is further contended that the ground taken by the applicant that the co-accused, namely Gyanendra Kumar Koshle, has been granted bail and therefore the applicant is also entitled to bail, is misconceived, inasmuch as the said co-accused was granted bail only on the specific ground that he is a student of M.A. 3rd Semester and his examinations were scheduled to commence from 09.01.2026, coupled with the fact that he had no criminal antecedents, hence, the case of the present applicant is clearly distinguishable. It is further submitted that the charge-sheet has already been filed before the competent Court against the applicant showing him as an absconder. It is also pointed out that



the bail applications of co-accused persons, namely Sanjeet Kumar Burman and Amrit Das Dahariya, have already been rejected by this Court in MCRCA No. 1996/2025 vide order dated 06.01.2026, and similarly, the bail application of co-accused Ashish Tandan has also been rejected by this Court in MCRCA No. 437/2026 vide order dated 23.03.2026. Lastly, it is submitted that the applicant has two criminal antecedents, out of which one case has been explained in paragraph 4(A) of the bail application and is still pending, whereas the other has not been explained at all, which indicates that the applicant is a habitual offender, therefore, he is not entitled to the grant of anticipatory bail.

5. I have heard learned counsel for the parties and perused all of the documents taken on record.
6. Considering the facts and circumstances of the case, nature and gravity of the allegations levelled against the present applicant and the specific accusation that he was present at the Court premises of District Court, Bilaspur and actively participated in abusing the opposite party and in the incident wherein force was used against the police and administration, as reflected from the prosecution story and further taking into account that the charge-sheet has already been filed before the competent Court showing the applicant as an absconder, coupled with the fact that the ground of parity as taken by the applicant is not available to him inasmuch as the co-accused Gyanendra Kumar Koshle was granted anticipatory bail on entirely different and specific grounds including his status as a student and absence of criminal antecedents, which makes the



case of the present applicant clearly distinguishable and also considering that bail applications of co-accused Sanjeet Kumar Burman and Amrit Das Dahariya have been rejected by this Court in MCRCA No. 1996/2025 vide order dated 06.01.2026 and the bail application of co-accused Ashish Tandan has also been rejected by this Court in MCRCA No. 437/2026 vide order dated 23.03.2026, as well as the fact that the applicant has criminal antecedents, one of which is still pending and the other has not been explained, which prima facie reflects his conduct thus, this Court is not inclined to extend the benefit of anticipatory bail to the applicant.

7. Accordingly, the Anticipatory Bail application of the applicant – **Satish Dahariya**, filed under Section 482 of the BNSS, 2023 in connection with Crime No. 1360/2025 registered at Police Station – Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 191(2), 221, 132, 296, 351(2) and 299 of BNS, is **rejected**.

Sd/-
(Ramesh Sinha)
Chief Justice