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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 670 of 2026

Mohammed Gulam Ashraf S/o. Abdul Azeem Aged About 41 Years R/o.
In Front Of K.K. Road Moudhapara Masjid, P.S.- Moudhapara, Tehsil
And District- Raipur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through S.H.O. Police Station- Rajendranagar,
District- Raipur (C.G.)

... Non-applicant

For Applicant : Mr. Trivikram Nayak, Advocate

For Non-applicant : Mr. Shailendra Sharma, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

06/05/2026

1. This first anticipatory bail application under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the
applicant, who is apprehending his arrest in connection with
Crime No.283/2025 registered at Police Station – Rajendranagar,



District: Raipur, (C.G.) for the offence punishable under Sections 115(2), 296, 3(5), 333, 351(2) of Bhartiya Nyay Sanhita, 2023.

2. Case of the prosecution is that on 21.12.2025 at about 3:45 PM, the complainant alleged that the applicant along with other co-accused persons was cutting a tree near his garage at Rajendranagar, Raipur, whereupon a dispute arose between the parties. It is alleged that during the altercation, the applicant and other accused persons abused the complainant, threatened him with dire consequences and assaulted him with fists and lathi. As a result of the said incident, the complainant and his brother sustained injuries. On the basis of the said allegations, an FIR bearing Crime No.283/2025 was registered against the applicant for offences punishable under Sections 115(2), 296, 3(5), 333 and 351(2) of the BNS, 2023.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, and the allegations levelled against him are vague, omnibus, and devoid of merit. It is further submitted that, in fact, the complainant was the aggressor and a counter FIR bearing No. 289/2025 has also been registered against him in the same incident, which supports the defence version. It is also



submitted that except for Section 333 of BNS, all other offences are bailable and even the ingredients of Section 333 are not attracted in the present case, therefore, he submits that the present applicant is also entitled to be released on anticipatory bail.

4. Per contra, learned counsel for the State opposes the application and submits that the allegations against the applicant are serious and supported by the statements of the complainant and witnesses. It is contended that the applicant has actively participated in the incident and his plea of false implication is not tenable at this stage. It is further submitted that the investigation is still in progress and the charge-sheet has not yet been filed, therefore custodial interrogation may be required. It is also pointed out that the applicant has three criminal antecedents; hence, the application deserves to be rejected.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the rival submissions of learned counsel for the parties, the nature of allegations and the material available on record, this Court finds that the dispute appears to have arisen out of a sudden altercation and a counter FIR has also been



registered in respect of the same incident. Further, most of the alleged offences are bailable in nature and the essential ingredients of Section 333 of BNS are prima facie not made out. Although the applicant has three criminal antecedents, out of which he has been acquitted in two cases, without expressing any opinion on the merits of the case, therefore, I am inclined to allow the application and grant anticipatory bail to the applicant.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Mohammed Gulam Ashraf**, on executing a personal bond and one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

- (a) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
- (b) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.
- (c) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (d) The applicant and the surety shall submit a copy of



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their adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The applicant shall not involve himself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
Chief Justice

Arpan