

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4282 of 2026**

- 1** - Ishwar Sahu S/o Tukaram Sahu Aged About 30 Years R/o Village Dutkaiya (Khapri), P.S. Rajim, District Gariabandh, C.G.
2 - Amarsingh Sahu S/o Omkar Sahu Aged About 26 Years R/o Village Dutkaiya Khapri, P.S. Rajim, District Gariabandh, C.G.
3 - Manoj Kumar Sahu S/o Dhanesh Sahu Aged About 32 Years R/o Village Dutkaiya (Khapri), P.S. Rajim, District Gariabandh, C.G.
4 - Vicky @ Vyanktesh Sahu S/o Angesh Sahu Aged About 24 Years R/o Village Dutkaiya (Khapri), P.S. Rajim, District Gariabandh, C.G.

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

- 1** - State of Chhattisgarh Through The Station House Officer, Police Station- Rajim, District- Gariabandh, Chhattisgarh

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Siddharth Pandey, Advocate

For Respondent(s) : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 31/2026, registered at Police Station – Rajim, District – Gariabandh (C.G.) for the offence punishable under Sections 296, 115(2), 351(3), 332(b), 332(c), 109(1), 190, 191(2), 191(3), 326(g), 238, 117(2), 118(2)



of BNS.

2. The case of the prosecution, is that a Dehati-Nalsi was lodged by the Complainant / Kasmuddin Quraishi @ Raju Khan on 02.02.2026 at about 13.30 hours to the effect that he is a matriculation pass and does the business of property dealing. It was further alleged that his neighbour, namely, Aarif Khan, went to jail for breaking and damaging Shivaling and after getting released from jail, he created a ruckus in the village by assaulting the villagers of Village Dutkaiya and nearby villagers of Village Parsada on the intervening night of 31.01.2026 to 01.02.2026. It was further alleged that on account of the said ruckus, the villagers got annoyed on 01.02.2026. It has also been alleged that the villagers/the victims of assault and ruckus committed by Aarif Khan, surrounded the Complainant and his family members, damaged his house and abused him filthily when the complainant and his family members restrained them. It is also alleged that the villagers, namely, Bhupendra Sahu, Upendra Sahu, Amar Sahu, Bholashankar Sahu, Karan Patel and all other residents of Village Dutkaiya (Khapri), in furtherance of their common intention, committed marpeet with the complainant and caused injuries by knife, rod, and stick and the articles kept in the house and the vehicles were put on fire. It was further alleged that the neighbours of the complainant, namely, Anwar Khan and Balla @ Amjad Khan, were also assaulted by the miscreants and their houses as well as vehicles were also set ablaze. It was also alleged that the accused persons, namely, Bhupendra Sahu, Upendra Sahu, Amar Singh Sahu, Bholashankar Sahu, Karan Patel and other persons assaulted the complainant using an iron rod and bricks, which caused injury to the Police personnel who were carrying away the



complainant and other victims of the incident. On the basis of the aforesaid, an FIR bearing Crime No. 31/2026 for the offence punishable under Sections 296, 115 (2), 351 (3), 332 (b), 332 (c), 109 (1), 190, 191 (2), 191(3), 326 (g) of B.N.S.

3. It is argued by the learned counsel for the applicants that the applicants are innocent and have been falsely implicated in this case. It is further submits that the entire incident is attributable to Aarif Khan, because of whom the alleged incident took place. Aarif Khan firstly created a ruckus in the concerned village, and thereafter committed marpeet, and caused injuries to the residents of the village. After getting annoyed from the aforesaid actions of Aarif Khan, the alleged incident took place, which is crystal clear from the contents of the FIR also lodged by Complainant himself. He further submits that charge-sheet has been filed in this case. The applicants No. 1, 3 and 4 are in jail since 01.04.2026 and applicant No.2 is in jail since 07.04.2026 trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that the applicant is not entitled for grant of bail. He further contended that there are in total 30 accused persons involved in the present case, out of which 8 accused persons are still absconding, whereas 22 accused persons are presently in judicial custody. It is submitted that the large number of accused persons involved clearly reflects the seriousness and organized nature of the offence. It is further submitted that there are 16 injured persons in the present case; however, medical examination of only 3 injured persons could be conducted, while the remaining 13 injured persons refused to undergo medical examination. Despite such refusal, the



statements of the injured witnesses and other material collected during investigation prima facie establish the involvement of the accused persons in the alleged offence, therefore she is not entitle for grant of bail.

5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Considering the nature and gravity of the offence and material available on record in the case diary and also considering the fact that there are in total 30 accused persons involved in the present case, out of which 8 accused persons are still absconding, whereas 22 accused persons are presently in judicial custody. Further, the large number of accused persons involved clearly reflects the seriousness and organized nature of the offence and there are 16 injured persons in the present case; however, medical examination of only 3 injured persons could be conducted, while the remaining 13 injured persons refused to undergo medical examination. Despite such refusal, the statements of the injured witnesses and other material collected during investigation prima facie establish the involvement of the accused persons in the alleged offence, as such, I am not inclined to grant bail to the applicant.
7. Accordingly, the bail application of the applicant No.1 – **Ishwar Sahu**, applicant No.2 – **Amarsingh Sahu**, applicant No.3- **Manoj Kumar Sahu** and applicant No.4 – **Vicky @ Vyanktesh Sahu**, filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 involved in Crime No.31/2026, registered at Police Station – Rajim, District – Gariabandh (C.G.) for the offence punishable under Sections 296,



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115(2), 351(3), 332(b), 332(c), 109(1), 190, 191(2), 191(3), 326(g),
238, 117(2), 118(2) of BNS, is **rejected**.

8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. 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

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