



2026:CGHC:27983



CGHC010251052026



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 1038 of 2026**

1 - Rishabh Tiwari S/o Santosh Tiwari Aged About 22 Years R/o Village Bichiya Tola, Police Station Kelhari, District M C B, Chhattisgarh

2 - Rakesh Tiwari S/o Bhaiyalal Tiwari Aged About 57 Years R/o Village Bichiya Tola, Police Station Kelhari, District M C B, Chhattisgarh

3 - Biharilal @ Abhishek S/o Jaiprakash Aged About 25 Years R/o Village Bichiya Tola, Police Station Kelhari, District M C B, Chhattisgarh

4 - Dipesh Tiwari @ Rinku Tiwari S/o Keshav Prasad Tiwari Aged About 33 Years R/o Village Bichiya Tola, Police Station Kelhari, District M C B, Chhattisgarh

5 - Abhishek Tiwari S/o Shashi Bhushan Tiwari Aged About 33 Years R/o Takiya Road, Police Station Kotwali Ambikapur, District Surguja Chhattisgarh

... Applicants**versus**

1 - State Of Chhattisgarh Through Police Station Kelhari, District M.C.B. Chhattisgarh

... Respondent



For Applicants : Mr. Anurag Singh, Advocate.
For Non-Applicant/State : Ms. Monika Singh Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

07.07.2026

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicants, who are apprehending their arrest in connection with Crime No. 44/2026 registered at Police Station – Kelhari, District Manendragarh-Chirmiri-Bharatpur (C.G.) for the offences punishable under Sections 296, 115(2), 351(2), 310(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. The prosecution case, in brief, is that on 29.05.2026 at about 7:00 p.m., while the complainant, Kamal Narayan Tiwari, was allegedly recording a video of sand excavation and transportation activities near the Kevai River, the applicants noticed him, abused and threatened him, assaulted him, and forcibly snatched his mobile phone along with ₹500/- allegedly kept inside its cover.
3. Learned counsel for the applicants submits that the applicant are innocent and have been falsely implicated in this case. It has been argued by learned counsel that the applicant No.1 Rishabh Tiwari had already raised grievance before the police authorities regarding unlawful demand of money by the complainant and on 30.05.2026, a written complaint was also filed by the applicant



No.1 against the complainant bringing it to the notice of the authorities about the illegal demand of money and obstruction being caused in the sand transportation work. Learned counsel further stated that on the complaint of applicant No.1, the proceeding was drawn by the police and the officials tried to return the mobile of the complainant but he refused to take it. It has been argued that even if the entire facts are taken on its face value, no offence is made out against the present applicants. Learned counsel also submits that the present applicants have no criminal antecedents except the present, therefore, he prays for grant of anticipatory bail to the applicants.

4. On the other hand, learned State counsel, appearing for the non - applicant/State, opposes the bail application of the present applicants and stated that preventive measures were taken against the applicants.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, submission of the learned counsel for the parties, material available on record, considering the nature of allegation levelled against the applicants, and also considering the fact that the applicants have no criminal antecedents, investigation and trial are likely to take some time, without commenting anything on the merits of the case, I am inclined to grant anticipatory bail to the present



applicants.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Rishabh Tiwari, Rakesh Tiwari, Biharilal @ Abhishek, Dipesh Tiwari and Abhishek Tiwari**, on executing a personal bond and one surety each in the like sum to the satisfaction of the arresting Officer, they shall be released on bail on the following conditions:-

- (a) they 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 them from disclosing such fact to the Court.
- (b) they shall not act in any manner which will be prejudicial to fair and expeditious trial.
- (c) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (d) the applicants and the surety shall submit a copy of 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) they shall not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE