



CGHC010228382026



2026:CGHC:31300

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5605 of 2026

1 - Karan Kumar @ Giddi Son Of Mahesh Thakur Aged About 25 Years
Resident Of Near Shamshan Ghat, Kabir Nagar, Raipur, Tahsil And
District Raipur Chhattisgarh

2 - Akshay Kuril Son Of Shivbalak Kuril Aged About 21 Years Resident
Of Balmiki Nagar House No. 3, Block-3, Kabir Nagar, Raipur,
Chhattisgarh

--- Applicants

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Aamanaka, District Raipur (C.G.)

--- Non-Applicant

MCRC No. 6322 of 2026

Prashant Sagar S/o Birju Sagar Aged About 18 Years R/o Balmiki
Ambedkar Awas, Police Station Kabir Nagar, Tahsil And District Raipur
(C.G.)

--Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station-
Amanaka, District- Raipur (C.G.)

--- Non-applicant

For Applicants : Shri CR Sahu, Advocate.

For Non-Applicant : Shri Shubham Bajpayee, PL.

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

22/07/2026

1. Since the aforesaid bail applications arise out of same crime number, they are being disposed of by this common order.
2. These are the first bail applications filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No.65/2026 registered at Police Station Aamanaka, District Raipur (C.G.) for the offence under Sections 296, 109 & 3 (5) of the BNS and under Sections 25 & 27 of the Arms Act.
3. The prosecution case, in brief, is that the complainant/injured lodged a report with the concerned Police Station stating that on the date of the incident i.e. 21.2.2026, he was returning along with his wife to his house Kota. At about 5.30 pm when he reached near Trimurty Chowk, Heerapur Road, the accused persons started raising dispute with the complainant/injured on account of previous enmity. Thereafter the accused persons assaulted the injured on his right thigh as well as medial aspect of back and the injuries are grievous in nature. Thereafter the FIR was registered against the applicants. Hence the bail applications.

4. It has been argued by learned counsel for the applicants that the applicants are innocent and have been falsely implicated in the crime. There was simple dispute between the parties on account of previous enmity and the applicants have not committed any offence. Only on the basis of suspicion, FIR has been registered against the applicants. The applicants are in jail since 22.2.2026. Therefore, the applicants may be released on bail.
5. On the other hand, learned counsel appearing for the State/non-applicant would oppose the bail applications and submit that applicant – Prashant Sagar is said to have caused injuries on the right thigh as well as medial aspect of the back and the injuries are grievous in nature and so far as applicant No.1 – Karan Kumar @ Giddi (in MCRC No.5605/26) is concerned, he has 10 criminal antecedents registered against him under the Arms Act and the IPC, which have not been mentioned in the bail application, and the charge sheet has been submitted against the applicants. Therefore, the bail applications may be rejected.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, and the fact that the charge sheet has already been submitted against the applicants, further considering that applicant – Prashant Sagar (applicant in MCRC No.6322/26) is said to have caused injuries on the right thigh as well as medial aspect of the

back which are grievous in nature and so far as applicant No.1 – Karan Kumar @ Giddi (in MCRC No.5605/26) is concerned, he has 10 criminal antecedents registered against him under the Arms Act and the IPC, which have not been mentioned in the bail application, this Court is of the opinion that these applicants are not entitled for bail.

8. Accordingly, the bail application (MCRc No.6322/26) of applicant – **Prashant Sagar** and the bail application (MCRc No.5605/26) in respect of Applicant No.1 - **Karan Kumar @ Giddi**, involved in Crime No.65/2026 registered at Police Station Aamanaka, District Raipur (C.G.) for the offence under Sections 296, 109 & 3 (5) of the BNS and under Sections 25 & 27 of the Arms Act, are **rejected**.
9. However, considering the allegations levelled against applicant No.2 – **Akshay Kuril** (in MCRc No.5605/26), he is in jail since 22.2.2026 and conclusion of trial is likely to take some time, this Court is of the view that applicant No.2 – **Akshay Kuril** (in MCRc No.5605/26) is entitled to be released on bail in the present case. Therefore, the bail application in respect of applicant No.2 is **allowed**.
10. Let the applicant No.2 – **Akshay Kuril**, involved in Crime No.65/2026 registered at Police Station Aamanaka, District Raipur (C.G.) for the offence under Sections 296, 109 & 3 (5) of the BNS and under Sections 25 & 27 of the Arms Act, be

released on bail on furnishing **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant No.2 shall file an undertaking to the effect that he 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 applicant No.2 shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of his absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant No.2 misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant No.2 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 deliberate 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.

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

Sd/-
(Ramesh Sinha)
Chief Justice

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