



2026:CGHC:3659



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1922 of 2025

Rahul Rathore S/o Chotku Rathore Aged About 23 Years R/o Quarter No. M/83-Rajgamar Colony, Post And Chauki- Rajgamar, Teh. And District Korba C.G.

... Applicant

versus

State Of Chhattisgarh Through Police Station- Balco Nagar, District Korba C.G.

... Respondent

For Applicant	:	Mr. Sumit Jhawar, Advocate
For Respondent	:	Mr. Ashish Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

21.01.2026

1. This application u/s 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for grant of anticipatory bail to the applicant apprehending his arrest in connection with Crime No.202/2025 registered at P.S. Balco Nagar, District Korba for the offence punishable under Sections 103(1), 61(2), 238, 190, 191(1) of BNS.
2. As per the prosecution case, on 14.03.2025, the applicant along with co-accused persons, assaulted deceased Anil Yadav and left him unconscious due to which he died. On report being lodged in this regard, offence has been registered.



3. Learned counsel for applicant submits that the applicant is innocent and has been falsely implicated in this case. There is no evidence on record to suggest his involvement in the alleged crime. The applicant's name does not appear in the First Information Report (FIR) or the subsequent charge sheet. No seizure has been made from him. There is no eye witness to the incident and in the available CCTV footage, the applicant is seen only sprinkling water on the unconscious deceased to bring him back to consciousness. He further submits that the main accused Arpit Agrawal and two co-accused Sahil Das Mahant and Upanshu Das have already been granted bail by this Court vide order dated 23.09.2025, 23.09.2025 & 25.08.2025 in MCRC Nos.7442/2025, 7335/2025 & 5915/2025 respectively, therefore, prima facie, no case is made out against the applicant and he may be granted the benefit of anticipatory bail.
4. Learned counsel for the State opposes the anticipatory bail application. However, he submits that in the CCTV footage, the applicant is seen sprinkling water on the unconscious deceased.
5. Heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the entire facts and circumstances of the case, particularly the facts that the applicant has not been named in the First Information Report (FIR) nor in the Charge Sheet, there is no allegation made in 161 CrPC statement suggesting that the applicant assaulted the deceased or participated in the alleged offense, no seizure has been made from his possession, the prosecution case against the applicant is based on CCTV footage in which the applicant is seen sprinkling water on the unconscious deceased and co-accused Arpit Agrawal, Sahil Das Mahant and Upanshu Das have already been granted bail by this Court, without further commenting on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.



8. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/-with one surety in the like sum to the satisfaction of the Officer arresting him or the Court concerned, as the case may be, with the following terms and conditions:

- I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
- II. The accused/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/her from disclosing such facts to the Court or to any police officer;
- III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. 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.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE