



CGHC010257672026



2026:CGHC:28933

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1065 of 2026

Sumit Nawani S/o Late Shri Vijay Kumar Nawani Aged About 34 Years R/o Kesla Nagar Panchayat Bilha, Police Station Bilha, District- Bilaspur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Police Station Hirri, District- Bilaspur (C.G.)

....Non-applicant

{Cause title, as taken from CIS}

For Applicant	:	Mr. Manoj Paranjpe, Sr. Advocate assisted by Mr. Rishabh Gupta, Advocate.
For Respondent	:	Dr. Sourabh Kumar Pandey, Dy. Adv. General.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

10.07.2026

1. This **first** anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 121 / 2026 registered at Police Station – Hirri, District Bilaspur (C.G.) for the offence punishable under Sections 316 (3), 317(2), 317(4) and Section 3 (5) of the Bhartiya Nyaya Sanhita, 2023.
2. Case of the prosecution, in brief, is that complainant Ashish Kesari, who is resident of Pendra, District Gourela-Pendra-Marwahi, lodged FIR against the present applicant and two other co-accused persons namely Ramsagar Sahu and Raja Sahu alleging therein that he (Ashish Kesari) is

transporter and engaged in the business of transportation and lifting of coal. It is alleged that contract for transportation of coal from Rampur Colliery of the SECL to Braj Iron Plant was awarded to him and he used to lift the coal from SECL Colliery and used to transport the same in the plant. Furthermore, vehicles bearing registration numbers CG 10 S 8901 and CG 04 HX 4888 were used for the said transportation and co-accused persons namely Ramsagar Sahu and Raja Sahu are the owners of these vehicles, and both vehicles were being driven by drivers, who fled away from the scene of the incident.

It is further alleged that the said vehicles were carrying the coal of G-6 (5500-5800) GCV grade and was a high quality of coal and when the said two vehicles entered in the plant for unloading of the coal purchased by Braj iron and Steel from SECL, the said coal was chemically examined in the lab of the Braj Iron and Steel Limited, it was found that the coal brought into the plant was not of the same grade /GCV, as has been loaded in the aforesaid two vehicles. On a preliminary enquiry conducted by the transporter, it was reported that the said high quality of the coal purchased from SECL was unloaded at the coal depot situated near Ashok Leyland Showroom, Pendridih and the same was being run by Ram Arya and the present applicant Sumit Narwani, who are resident of Bilha. It is alleged that the said act was done at the instance of owner of the vehicle namely Ramsagar Sahu and Raja Sahu. Based on aforesaid facts, FIR was registered against the present applicant and other co-accused persons. Hence, this application.

3. It has been argued by the learned counsel for the applicant that the applicant has been falsely implicated in this case, as the present applicant is neither the owner of the Depot nor he has any connection with the said

depot run by co-accused Ramkumar Arya. He further submits that applicant is permanent resident of Bilha, District Bilaspur, therefore, there is no chance of his absconding, if granted anticipatory bail to him. It is lastly contended that co-accused Ramkumar Arya, who is proprietor of the aforesaid Depot, has already been granted regular bail by the trial Court vide its order dated 03.06.2026 in Bail Application No. 1009 / 2026 and, therefore, the present applicant may also be extended the benefit of anticipatory bail on the ground of parity.

4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail to the applicant
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Having considered the facts & circumstances of the case, particularly considering the fact that similarly situated co-accused Ram Kumar Arya has already been granted regular bail by the trial Court vide order dated 03.06.2026 in Bail Application No. 1009 / 2026 and the fact that the applicant is local resident of Tahsil Bilha, District Bilaspur, therefore, there is no chance of his absconding, if anticipatory bail granted to him, this Court is inclined to extend the benefit of 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 – **Sumit Nawani**, on executing a personal bond with 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 their adhaar card alongwith a colored 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

AMIT
KUMAR
DUBEY

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by AMIT KUMAR
DUBEY
Date: 2026.07.13
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