



CGHC010375252026



2026:CGHC:44919

KUNAL
DEWANGANDigitally
signed by
KUNAL
DEWANGAN**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9338 of 2026**

1 - Homlal Chandravanshi S/o Hiru Ram Aged About 23 Years Resident Of Bhansula Police Station And Outpost, District Mohla - Manpur-Ambagarh Chowki (Chhattisgarh)

2 - Prashant Kumar Son Of Bhagatram, Aged About 26 Years Resident Of Bhansula Police Station And Outpost, District Mohla - Manpur-Ambagarh Chowki (Chhattisgarh)

--- Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ambagarh Chowki, District Mohla -Manpur- Ambagarh Chowki (C.G.)

--- Non-applicant(s)

For Applicants : Mr. Aditya Bhardwaj, Advocate.

For Non-applicants/State : Mr. Akash Agrawal, Panel Lawyer.

MCRC No. 8271 of 2026

1 - Mohan Nishad S/o Suresh Nishad Aged About 20 Years R/o Village Brahman Lanjhiya, Police Station Ambagarh Chowki, District Mohla-Manpur-Ambagarh Chowki, Chhattisgarh.

2 - Digeshwar Nishad S/o Raghunandan Nishad Aged About 21 Years R/o Village Brahman Lanjhiya, Police Station Ambagarh Chowki, District Mohla-Manpur-Ambagarh Chowki, Chhattisgarh.

---Applicant(s)

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Ambagarh Chowki, District Mohla-Manpur-Ambagarh Chowki, Chhattisgarh.

...Non-Applicant(s)

For Applicants	: Mr. Punit Ruparel, Advocate.
For Non-applicants/State	: Mr. Akash Agrawal, Panel Lawyer.

Hon'ble Shri. Rakesh Mohan Pandey, Judge

Order on Board

16/10/2026

1. Since the abov bail applications are the first bail application of the respective applicants, arising out of similar incidents registered at Police Station Ambagarhchowki, District- Mohela-Manpur-Ambagarhchowki, though under different offences, they are being heard and decided by this common order.
2. The relevant particulars with respect to each applicant in the bail applications are as under:

M.Cr.C.No.	Name of the Applicant	Police Station	Crime Number	Offence under Sections	Date of Arrest
9338/2026	1. Homlal Chandravanshi. 2. Prashant Kumar.	Ambagarhchowki. District -Mohela-Manpur-	174/2025	191(3), 296, 351(2), 61(2)(a), 103(1), and 3(5) of BNS.	15.09.2026

		Ambagarhch owki			
8271/2026	1. Mohan Nishad. 2. Digeshwar Nishad.	-do-	-do-	191(3), 296, 351(2), 61(2) (a), 103(1), 115(2) and 3(5) of BNS.	25.10.2025

- 3.** The prosecution story, in brief, is that on 22.10.2025, at about 01:30 a.m., during a recording dance competition being organized at Village Chhachanpahari, co-accused Sunil Sahu, along with other associates, intercepted the victim Sahil Sahu on the main road near Balaji Hardware. It is alleged that, in furtherance of their common intention, the accused persons assaulted the victim with fists, hands and wooden sticks (lathi-danda) and also abused him in filthy and obscene language and extended threats to his life. Due to the assault, the victim sustained serious injuries and was initially taken to Government Hospital, Ambagarh Chowki, from where he was referred to a higher medical centre at Rajnandgaon for further treatment. Subsequently, the victim succumbed to the injuries during the course of treatment. On being informed about the incident by eyewitness Temesh @ Chintu Sahu and other persons present there, the victim's uncle Murari Sahu lodged a report at Police Station Ambagarh Chowki. On the basis of such complaint, the FIR for the aforesaid offences was registered against the applicants and other co-accused persons.
- 4.** Learned counsel appearing for the applicants would submit that the

principal allegation of assault by means of wooden sticks (lathi-danda), resulting in the death of the deceased, is specifically attributed to co-accused Sunil Sahu and Tuleshwar Nishad. It is further submitted that the alleged motive behind the incident was the love affair between Kiran Nishad, sister of co-accused Tuleshwar Nishad and Umesh Sahu, a friend of the deceased Sahil Sahu. The applicants were allegedly present at the spot but did not assault the deceased with any weapon, only assaulted by hands and fists. He would further submit that the charge-sheet has already been filed before the competent Court and that the applicants have no criminal antecedents. It is also submitted that the statements of eyewitnesses, namely, PW-1 Murari Sahu, PW-2 Neturam Sahu, PW-3 Pravesh Kumar Dewangan, PW-4 Pankaj Kumar Sahu and PW-5 Hemshankar Rajak, have been recorded during trial and they have attributed the fatal assault by means of lathi to co-accused Sunil Sahu and another. Learned counsel would further submit that the applicants have not been attributed any specific role in inflicting the fatal injuries, nor has any weapon been recovered from their possession. As the conclusion of the trial is likely to take some time, the applicants may be released on bail.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicants, along with the other co-accused persons, formed an unlawful assembly and jointly assaulted the deceased, Sahil Sahu, during the recording dance competition. It is alleged that the deceased was assaulted with fists, hands and wooden sticks and was also subjected to filthy

abuse and threats. The deceased sustained multiple injuries and succumbed to the same while being taken to the hospital. He would further submit that the statements of the witnesses recorded during trial implicate the applicants in the commission of the offence and that their alleged participation cannot be overlooked merely because the fatal injuries are attributed to other co-accused persons. Therefore, the applicants are not entitled to be released on bail.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. From perusal of the FIR, it prima facie appears that the applicants, along with the other co-accused persons, allegedly formed an unlawful assembly and assaulted the deceased, Sahil Sahu, who succumbed to his injuries while being taken to the hospital. As per the post-mortem report, the deceased sustained multiple injuries on various parts of his body and the cause of death was opined to be shock and haemorrhage due to blunt trauma. Further, the statements of the witnesses, namely, PW-1 Murari Sahu, PW-2 Neturam Sahu, PW-4 Pankaj Kumar Sahu and PW-5 Hemshankar Rajak, recorded during trial, prima facie indicate the alleged participation of the applicants in the assault upon the deceased. At this stage, the submission that the fatal injuries were allegedly inflicted by other co-accused persons and that no weapon has been recovered from the applicants cannot, by itself, be a sufficient ground to enlarge them on bail, particularly when the allegations indicate their participation in the incident which resulted in the

death of the deceased.

8. Having considered the facts and circumstances of the case, nature and gravity of the offence, the manner in which the incident allegedly occurred, the role attributed to the applicants and the medical evidence available on record, this Court is not inclined to grant bail to the applicants.
9. Accordingly, the bail applications are **rejected**.

**Sd/-
(Rakesh Mohan Pandey)
Judge**

Kunal