



CGHC010383592026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9251 of 2026

Ramkalesh Nishad S/o Panchram Nishad Aged About 43 Years R/o Village
Khapri, Police Station Bilha, Distt- Bilaspur (C.G.) **... Applicant**

versus

State of Chhattisgarh through Station House Officer, Police Station Bilha,
Distt- Bilaspur (C.G.) **... Respondent**

For the applicant	:	Mr. Virendra Verma, Advocate
For the State	:	Mr. Kalpesh Ruparel, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

08.10.2026

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No. 624/2025 registered at Police Station Bilha, District Bilaspur (C.G) for the offences under Sections 103(1), 189(2), 189(4), 190, 191(2), 191(3), 296, 115(2), 351(3), 3(5) of BNS, 2023 and Sections 25 & 27 of the Arms Act.

2(a). As per the prosecution case, on 28.11.2025, a complaint was lodged by injured Kush Yadav at Bilha Police Station, Bilaspur, alleging that the complainant attended a wedding function with friends, including the

accused persons. During dance amusement, Kush Yadav's hand touched juvenile while dancing and the juvenile started abusing the complainant. Juvenile allegedly abused and slapped the complainant. When the complainant's uncle, Badku @ Rambhajan Yadav came his rescue, accused juvenile offender and other adult accused started beating his uncle and threatened to kill him, while the main juvenile accused stabbed complainant's uncle thrice with a knife due to which he fell down. Injured Badku @ Rambhajan Yadav was taken to the hospital and during treatment he was declared dead by the doctor.

(b) The allegation against the present applicant Ramkalesh is that he is father of the main juvenile accused. Ramkalesh along another person (Goltha alias Ram Prasad Nishad) came to the place of incident to save his son and dragged the deceased Badku alias Ram Bhajan Yadav in front of the house of Shrawan Nishad and while beating him, instigated other juvenile and adult accused to beat the victim. Following investigation, offence was registered and the applicant was arrested on 29.11.2025.

3. Learned counsel for the applicant submits that neither the FIR nor the statements of eye-witnesses recorded u/s 161 CrPC do not speak the name of the present applicant and only on the basis of memorandum statements of co-accused, the applicant is being prosecuted. He further submits that even no seizure has been shown to be made from him nor any TIP was conducted. The applicant is in jail since 29.11.2025; till date out of 29 witnesses, only 11 have been examined and there is no immediate possibility of disposal of the case, therefore, considering all these aspects, the applicant deserves to be released on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that there are total 6 accused in this case, out of them, 3 are juvenile offenders and the other 3 are adult accused. The applicant is also one of the accomplice. The FIR was registered on the complaint of injured

Kush Yadav. He further submits that the present applicant is also named in the statement of an eye witness Chandra Shekhar Yadav recorded u/s 161 CrPC wherein it is alleged that this applicant and another accused came there and dragged the deceased Badku to a corner and while beating him instigated other juvenile & adult accused to beat the victim and thereafter he was beaten to death. He next submits that the bail of two other juvenile accused have already been rejected by this Court by orders dated 02.03.2026 & 15.05.2026 passed in CRR Nos. 240/2026 & 636 of 2026 respectively. Therefore, the present applicant does not deserve to be released on bail.

5. Having considered the submissions made by learned counsel for the parties and the overall facts and circumstances of the case, this is not a fit case where the present applicant can be released on bail Accordingly, this bail is **rejected**.

6. However, looking to the custody period of the applicant, the trial Court is directed to expedite the trial as early as possible preferably within a period of 5 months from the date of receipt of copy of this order.

A copy of this order be sent to the trial Court for information.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao

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signed by
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