SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4652 of 2026

- Parmanand Sahu, S/o- Jagmohan Sahu, Aged About 23 Years R/o- Village Kukara, P.S. Mandir-Hasod, Raipur, District- Raipur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through - P.S. Mandir Hasod, District- Raipur (C.G.)

...Non-Applicant

For Applicant : Mr. B.L. Dembra, Advocate
For State : Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.10.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 463/2025 registered at Police Station Mandir-Hasod, District Raipur (C.G.), for the offence punishable under Section 103(1) read with Section 3(5) of BNS.

2. As per case of prosecution, on 04.10.2025 at about 7.00 p.m., an altercation took place between the applicant, co-accused Suraj Koshley and the deceased Surendra over consumption of liquor. It is alleged that the applicant and co-accused assaulted the deceased with an iron rod and a ring. Thereafter, aforesaid offence has been registered against the applicant.

3. Learned counsel for the applicant submits that out of 22 witnesses, only 3 witnesses have been examined and applicant is in jail since 05.10.2025. He further submits that the so-called eye-witness has not supported the case of the prosecution and there is no material evidence against the present applicant. He would pray to allow this application.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the incident was witnessed by a friend of the deceased's son. She would further submit that on instance of the present applicant and co-accused Suraj Koshley, iron rod and metal bangle were seized, therefore, instant bail application deserves to be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Perusal of case diary would reveal that altercation took place between the applicant, co-accused and deceased over consumption of liquor. The allegation against the applicant is that he along with co-accused Suraj Koshley, assaulted the deceased with iron rod and metal bangle and weapons have been seized on instance of the applicant and co-accused, which indicates *prima facie* involvement of the applicant.

7. It is a well-settled principle of law that no mini-trial is permissible while considering a bail application. The reliability and credibility of the prosecution witness can be examined by the learned Trial Court. Though it is submitted that eyewitness has not supported the case of prosecution, but the credibility of their statement can be considered by the learned Trial Court during course of trial. At this stage, a detailed appreciation of the evidence is not permissible, I am not inclined to allow this bail application.

8. Accordingly, instant bail application is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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