CGHC010227552026 2026:CGHC:43300

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5477 of 2026

- Praveen Lakra S/o Bonifaas Lakra Aged About 35 Years R/o Sarudih, P.S. And Distt. Jashpur, Chhattisgarh.

--- **Applicant**

versus

- State Of Chhattisgarh Through S.H.O., P.S. Jashpur, Distt. Jashpur, Chhattisgarh.

--- **Non-applicant**

WITH

MCRC No. 5709 of 2026

- Ankit Toppo S/o Amrit Toppo (Wrongly Mentioned In Order Sheet As Anas Ram) Aged About 36 Years R/o Sarudih, P.S. And Tahsil Jashpur, District Jashpur Chhattisgarh

---**Applicant**

Versus

- State Of Chhattisgarh Through S H O P.S. Jashpur, District Jashpur Chhattisgarh

--- **Non-applicant**

For Applicants	:	Mr. Pushkar Sinha, Advocate
For Non-applicant	:	Mr. Kanwaljeet Singh Saini, Dy.G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

06.10.2026

1) The applicants have preferred these First Bail Applications under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 33/2026, registered by Police Station Jashpur, District : Jashpur (C.G.) for the offence punishable under Sections 103(1), 115(2) and 3(5) of Bhartiya Suraksha Sanhita, 2023.

2) The prosecution case, in brief, is that on 07.10.2025 between 08:00 AM and 09:00 AM at Village Sarudih, the applicants allegedly assaulted the deceased, Yashwant Toppo, along with Sawan Das and Narendra Das, using hands and fists over allegations of attempting to break the lock of applicant Ankit Toppo's cart (*thela*). During the incident, applicant Ankit Toppo allegedly struck the deceased on the waist with a wooden log. Subsequently, on 17.10.2025, Yashwant Toppo succumbed to his injuries en route to the hospital. Following an FIR registered on 02.02.2026 implicating the applicants in the alleged assault that resulted in the death of the deceased, the applicants were arrested and the said wooden log was recovered from the house of applicant Ankit Toppo.

3) Learned counsel for the applicants submits that the applicants have falsely been implicated in the present case, as they did not

commit the murder of the deceased Yashwant Tirki, rather they merely apprehended him upon discovering that he had attempted to commit theft from applicant Ankit Toppo's cart. He further submits that although the alleged murder weapon, a wooden log, was recovered from the possession of Ankit Toppo, the said applicant struck only a single blow which caused no grievous injury. He contends that the post-mortem report reveals that the cause of death was cardiorespiratory failure, and no internal injuries were detected on the body of the deceased and the death occurred on 17.10.2025, whereas the FIR was lodged after an unexplained delay on 02.02.2026, and the applicants have been implicated solely on the basis of suspicion and the memorandum statements of injured persons and neighbours. He further contends that the applicants have no prior criminal antecedents, the charge-sheet has already been filed, and they have been in custody since 03.02.2026 and the conclusion of the trial is likely to take considerable time, he prays that regular bail be granted to the applicants.

4) On the other hand, learned counsel for the State opposes the bail applications and submits that there is a direct allegation to the effect that applicants in furtherance of their common intention, assaulted Yashwant Tirki with fists and a wooden log. He further submits that there are two eyewitnesses namely, Sawan Das and Narendra Das who witnessed the offence, therefore, applicants are not entitled to the grant of bail.

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

6) It is a settled principle of law that the Court's role at the stage of bail is confined to verifying the existence of a *prima facie* case. In the present case, although the incident occurred on 07.10.2025 and the FIR was lodged on 02.02.2026, there are specific allegations that the deceased, Yashwant Tirki, sustained grievous injuries to his back after being assaulted by the applicants with fists and a wooden log, and subsequently succumbed to cardiorespiratory failure on 17.10.2025. Furthermore, the said wooden log was recovered from the possession of applicant Ankit Toppo.

7) In view of the aforesaid discussion, coupled with the fact that there are two eyewitnesses, namely, Sawan Das and Narendra Das, who witnessed the incident, the involvement of the applicants in the commission of the alleged offence cannot be ruled out at this stage.

8) Consequently, this Court is not inclined to grant bail to the applicants and the instant bail applications are **rejected.**

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya

Digitally signed by AJINKYA PANSARE
Date: 2026.10.08 14:05:47 +0530