CGHC010323862026 2026:CGHC:43805

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7943 of 2026

1 - Mangal Sai S/o Jana Ram Aged About 60 Years R/o Village- Parri, Tehsil And District- Surajpur (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station- Surajpur, District- Surajpur (C.G.)

... Non-applicant

For Applicant	:	Mr. Sushil Dubey, Advocate
For Non-applicant /State	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

09/10/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 175/2026 registered at Police Station Surajpur, District

Surajpur (C.G.) for the offence punishable under Sections 115(2), 296(b), 351(3) and 109(1) of BNS.

2. Case of the prosecution, in brief, is that on 12/03/2026 at about 3 PM, the applicant came home in an intoxicated condition and started abusing his wife Shanti and thereafter, assaulted her with an iron crowbar (sabbal) due to which she sustained grievous injuries on her head. FIR was lodged by applicant's wife Shanti on 21/03/2026 and the aforesaid offence was registered against the applicant.

3. Mr. Sushil Dubey, learned counsel appearing for the applicant, would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the matter pertains to a dispute between husband and wife and the wife has given her consent for grant of bail to the applicant. He would also submit that the applicant has no previous criminal antecedent, charge-sheet has already been filed and the applicant has been in judicial custody since 03/07/2026, and since the conclusion of the trial is likely to take considerable time, the applicant may be enlarged on regular bail.

4. On the other hand, Ms. Monika Thakur, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the present applicant abused the victim (his wife) in an intoxicated condition and thereafter, assaulted her and inflicted injuries on her head by means of a

crowbar. As per the MLC report, the injuries sustained by the victim were grievous in nature, thus, she would pray for rejection of this bail application.

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

6. Having considered the facts and circumstances of the case and further considering that the Medical Officer has not given the opinion that the injuries sustained by the victim were life threatening also considering that the victim (applicant's wife) has appeared before this Court and has given her consent for grant of bail to the applicant; charge-sheet has already been filed; the applicant has no criminal antecedent; he is in judicial custody since 05/09/2026, and the conclusion of trial is likely to take some time, this Court is inclined to enlarge the applicant on regular bail. Accordingly, the bail application is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

    (i) he 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,

    (ii) he shall not act in any manner which will be prejudicial

to fair and expeditious trial, and

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet