NIRMALA
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CGHC010335822026 2026:CGHC:45299

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8581 of 2026

1 - Deepak Shrivas S/o Shiv Shrivas Aged About 25 Years R/o Village Bortara, Police Station And Tahsil Saja, District- Bemetara (C.G.)

2 - Roshan Shrivas S/o Shiv Shrivas Aged About 27 Years R/o Village Bortara, Police Station And Tahsil Saja, District- Bemetara (C.G.)

... Petitioner(s)

versus

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

... Respondent(s)

For Applicant/s	:	Shri Praveen Dhurandhar, Advocate.
For Non-Applicant/State	:	Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27.10.2026

1) This is the first bail application filed under under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.214 of 2026 registered at Police Station Saja, District Bemetara, Chhattisgarh for the offence punishable under Sections 103(1) & 3(5) of BNS.

2) The case of the prosecution, in brief, is that on 6.8.2026, at around 9:30 a.m., the husband of the complainant, namely, Omprakash Prajapati, was proceeding to the fields for work when the present applicants and other accused persons allegedly assaulted him. As a result, the husband of the complainant sustained grievous injuries and, during the course of treatment at the hospital, succumbed to his injuries. On the basis of the said information, the police registered an FIR for the commission of the offences mentioned above.

3) Learned counsel for the applicants would submit that the applicants have falsely been implicated in the case. He would further submit that the applicants neither committed nor participated in any act that would constitute any of the aforesaid offences. He would contend that there was no preparation, intention or knowledge on the part of the applicants and, hence, the ingredients of Section 103(1) of the BNS are not made out against them. He would further submit that the applicants have been in jail since 6.8.2026. He would, therefore, pray that the applicants be enlarged on regular bail.

4) On the other hand, learned State counsel would oppose the bail application and submit that the eyewitnesses have categorically stated that the present applicants, along with the other co-accused persons, assaulted the deceased, Omprakash Prajapati, with wooden clubs and stones and by using their hands and fists. She would also contend that, in view of the eyewitness accounts, the bail application deserves to be dismissed.

5) Heard learned counsel appearing for the parties and perused the case diary.

6) Having considered the eyewitness accounts of Puran Prajapati, Smt. Kaushilya Prajapati and Smt. Lalita Prajapati, who have categorically stated that the present applicants, along with the other co-accused persons, assaulted Omprakash Prajapati with wooden clubs and stones and by using their hands and fists, as well as the postmortem report indicating haemorrhagic shock as the cause of death, this Court is not inclined to allow the bail application.

7) Accordingly, the bail application filed by the applicants is rejected.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi