SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8586 of 2026

- Parmeshwar Sarthi S/o Johan Lal Aged About 28 Years R/o Shantinagar, Balgi Pariyojna, Police Station- Bankimongra, District- Korba (C.G.)

... Applicant

versus

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

... Non-Applicant

For Applicant : Ms. Divya Sahu, Advocate
For State : Mr. Vivek Sharma, 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. 147/2025 registered at Police Station Kusmunda, District Korba (C.G.), for the offence punishable under Section 296, 115(2), 324(4), 333, 191(3) and 351(2) of BNS.

2. Case of the prosecution, in brief, is that on 07.05.2025 at about 03:00 p.m., while the complainant Kitab Singh was present at his house, the accused persons, namely Hitesh Sarathi, Manish Mandal, Yogi Satnami, Parmeshwar Sarathi, Sandeep Sahu and Naveen Kashyap, along with their associates, entered his house and started abusing him and his wife Ramla Bai. They also

damaged the tractor and assaulted the complainant and his wife with baseball bat, hockey stick and iron rod, causing injuries to both of them. Thereafter, the accused persons fled from the spot. On the report of the complainant, aforesaid case were registered against the accused persons, and during course of investigation, bamboo stick and iron rod were seized on the basis of the memorandum statements of the accused persons.

3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in the case. She would further submit that charge-sheet has been filed, applicant is in jail since 11.06.2026 and no prosecution witness has been examined till now. She would further submit that the applicant has three criminal antecedents, which are pending consideration. She would contend that co-accused Hitesh Sarthi has already been granted bail by the learned Trial Court and the applicant has also been granted bail by this Court in another case, therefore, the present applicant is also entitled for grant of regular bail on the ground of parity.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant has three criminal antecedents, which are pending consideration. He would further submit that the applicant remained absconding for period of one year and was subsequently arrested in connection with another crime, pursuant to which he was formally taken into custody in the present case. He would further submit that the applicant is alleged to have participated in the incident along with the other accused persons and assaulted the complainant and his wife, causing injuries to them. He would contend that merely because co-accused Hitesh Sarthi has been granted bail, the applicant cannot claim parity in view

of the specific allegations against him, therefore, instant application deserves to be rejected.

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

6. Having considered the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant and the fact that applicant along with other co-accused, assaulted Kitab Singh and Ramla Bai using baseball bat, hockey stick and iron rod. Kitab Singh sustained grievous injuries over forearm, right shoulder and head etc; there are three criminal antecedents of the present applicant; he remained absconding for period of one year and when he was arrested with another crime number, he was taken into custody formally, therefore, I am not inclined to grant bail to the present applicant.

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

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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