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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8605 of 2026

- Kaasim Khan Urf Ammu S/o Sajid Khan Age 18 Year 8 Days, R/o Imam Nagar Near Pani Tanki Mathpurena P.S. Tikrapara Chowk District Raipur Chhattisgarh

... Applicant

VERSUS

- State Of Chhattisgarh Through Police Station - Tikrapara District Raipur Chhattisgarh

...Non-applicant

For Applicant	:	Mr. Ashish Gangwani, Advocate
For Non-applicant	:	Ms. Ankita Shukla, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

14.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 281/2026, registered by Police Station Tikrapara, District Raipur (C.G.) for the offence punishable under Section 109 of Bhartiya Suraksha Sanhita, 2023.

2) The prosecution story, in brief, is that on 19.06.2026, the complainant lodged a report to the effect that at around 5:00 PM that day, the applicant hurled abuses at Avesh Khan and assaulted him with a knife, causing an injury to his chest. On the basis of the complaint, the police registered the offence as stated above and arrested the applicant.

3) Learned counsel for the applicant submits that there was a scuffle between the parties and counter FIRs were lodged. He further submits that the applicant has two criminal antecedents, which stand disposed of, and all such antecedents have been duly explained in Part-D (Criminal Antecedents) of the present bail application. He contends that the co-accused persons, namely Sheikh Moin and Rishabh Kumar, have been enlarged on bail by a coordinate Bench in MCRC/6921/2026 and MCRC/7064/2026, respectively. He further contends that the charge-sheet has been filed, the applicant has been in jail since 01.04.2026, and the conclusion of the trial is likely to take time. Therefore, he prays for the grant of regular bail to the present applicant.

4) On the other hand, learned counsel for the State opposes the bail application and submits that there is a direct allegation against the applicant to the effect that he assaulted Avesh Khan using a knife. She further submits that Avesh Khan suffered incised injury over upper chest and remained hospitalized from 31.03.2026 to 07.04.2026. Hence, the applicant is not entitled to the grant of bail.

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

6) The medical records in the case diary show that the applicant assaulted Avesh Khan using an iron knife and caused an incised injury over his chest, and he remained hospitalized from 31.03.2026 to 07.04.2026. According to the medico-legal certificate, the injury caused to Avesh Khan was grievous in nature. Conversely, the applicant contends in this bail application that there was a scuffle between the parties, counter FIRs were lodged, and the applicant has been falsely roped in due to pre-existing animosity between the parties.

7) Applicant has also taken the plea of parity stating that co-accused, namely Sheikh Moin and Rishabh Kumar, have been enlarged on bail by the coordinate Bench in MCRC/6921/2026 and MCRC/7064/2026, respectively. However, it is worth mentioning that while granting bail to co-accused Sheikh Moin and Rishabh Kumar, the co-ordinate Bench took note of the fact that they were not named in the FIR and they were arraigned as an accused only on the basis of the statement of the present applicant. Therefore, in view of the aforesaid discussion, the ground of parity is not available to the present applicant.

8) It is a settled principle of law that the Court's role at the bail stage is confined to verifying the existence of a *prima facie* case. In the

present case, an FIR was lodged against the applicant making specific allegations to the effect that he assaulted Avesh Khan using a knife, causing incised injury over his chest; however, the veracity of the allegations made in the FIR cannot be examined in light of the defence taken by Mr. Gangwani.

9) Considering the fact and circumstances of the case, nature and gravity of offence levelled against the applicant, this Court is not inclined to extend the benefit of bail to the applicant at this stage.

10) Accordingly, the instant bail application is **rejected.**

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya