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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8855 of 2026

1 - Tushar Dhimar S/o Krishna Dhimar Aged About 32 Years R/o Village - Sikaripara, Balod, Tahsil And District - Balod, Chhattisgarh

2 - Sawan Soni S/o Uttam Soni Aged About 30 Years R/o Village - Sikaripara, Balod, Tahsil And District - Balod, Chhattisgarh

--- **Applicants**

Versus

*** -** State Of Chhattisgarh Through P.S. Balod, Tahsil And District Balod, Chhattisgarh

--- **Non-Applicant**

And

MCRC No. 9169 of 2026

*** -** Indra Kumar Yadav S/o Bihari Lal, Aged About 32 Years (Complete Name Not Mentioned In Impugned Order) R/o Village Sikaripara Balod Tehsil District Balod C.G.

--- **Applicant**

Versus

*** -** State Of Chhattisgarh Through Police Station Balod District Balod, C.G.

--- **Non-Applicant**

For Respective Applicants	**:**	Mr. Hemant Gupta and Mr. Harshwardhan Singh Thakur, Advocates
For Non-Applicant	**:**	Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

06/10/2026

1. As both are the first bail applications under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 preferred by the respective

applicants arise out of the same Crime No. 444/2026 registered at Police Station- Balod, District Balod (CG) for commission of offence punishable under Sections 296, 115(2), 351(3), 191(1) and 333 of BNS, therefore, they are being disposed of by this common order.

2. As per case of prosecution, on 24.08.2026 at around 9-10:00 pm at railway station road of Balod when office staff of Aman Tigala was reversing a Pick-up four wheeler, at the same time, accused Aryan and his mother were taking their scooter out from the front side of the said vehicle, Aman Tigala objected. Thereafter, Aryan got angry and started assaulting the complainant- Vinayak with hands and fists, using abusive language and threatened to kill him. Aman and Dinesh came to rescue, but the present applicants and others have come behind and they have beaten them with hands and fists and threatened the complainant. Thus, the present applicants committed offence as stated above.

3. Mr. Hemant Gupta, learned Advocate appearing for the applicants in MCRC No 8855/2026 would submit that though there are 05 criminal antecedents of applicant No.1- Tushar Dhimar and 03 criminal antecedents of applicant No. 2- Sawan Soni, but in except 01 criminal criminal case, all have already been disposed of. He would submit that in some of the cases, the applicants have been acquitted by the learned trial Court. It is argued that there was a dispute between 02 groups and both the parties sustained injuries in free fight. He would contend that the injuries sustained by complainant party were simple in nature. It is also argued that the applicants are in jail since 30.08.2026 and charge-sheet has already been filed.

4. Mr. Harshwardhan Singh Thakur, learned Advocate appearing for the

applicant- Indra Kumar Yadav in MCRC No. 9169/2026 would submit that the applicant has 01 criminal antecedent and in said case, he has already been acquitted. He would support the argument advanced by Mr. Hemant Gupta and both the Advocates pray for grant of bail.

5. On the other hand, Ms. Monika Thakur, learned Panel Lawyer appearing for the State/non-applicant would would oppose and submit that total 07 accused persons assaulted 03 injured persons. She would submit that injured Vinayak sustained serious injury on temporal region, whereas injuries sustained by other 02 injured were simple in nature. She would contend that the applicants have criminal antecedents and therefore, both the bail applications deserve to be rejected.

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

7. Having considered the fact that the applicants in MCRC No. 8855/2026 have only one live criminal case and in MCRC No. 9169/2026, there was one criminal antecedent in which, the applicant has already been acquitted; further charge-sheet has already been filed, the applicants are in jail since 30.08.2026 and there is no medical opinion to the effect that the injury sustained by Vinayak was grievous and fatal for life, therefore, without commenting anything on merits of the case, I am inclined to grant regular bail to the applicants. Accordingly, both the bail applications are **allowed**.

8. It is directed that in the event of each of the applicants 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, they shall be released on bail, on following conditions :-

I. They 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/her from disclosing such fact to the Court;

II. They shall not act in any manner which will be prejudicial to a fair and expeditious trial;

III. They shall appear before the trial Court on each and every date given to them by the said Court till the disposal of the trial; and,

IV. They shall not involve themselves in any offence of a similar nature in future.

9. The observation made in the course of this order is only for considering the case of the applicants on the applications for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

10. Certified copy as per rules.

Sd/-

(Rakesh Mohan Pandey)
Judge

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