CGHC010363392026 2026:CGHC:44529

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8681 of 2026

Pinkesh Dewar S/o Munna Dewar Aged About 31 Years R/o Village Rawan, Police Station And Tehsil City, Kotwali Balodabazar District Balodabazar Bhatapara, Chhattisgarh. **... Applicant**

versus

State of Chhattisgarh Through- Station House Officer Police of Police Station City, Kotwali, Balodabazar District Balodabazar Bhatapara, Chhattisgrh.

... Non-Applicant

For Applicant	**:**	Mr. Anil Gulati, Advocate
For Non-Applicant /State	**:**	Mr. Kawaljeet Singh Saini, Deputy Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 662/2026, registered at Police Station – City Kotwali, Balodabazar, District Balodabazar-Bhatapara (C.G.), for offences punishable under Sections 109(1) and 296 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that on the date of the incident, the complainant, Goutam Tiwari, employed as a security guard with M.F.S. Security Guard Company, was on duty at the Ambuja Cement Plant along with two other security personnel. It is alleged that the

applicant attempted to enter the plant premises unauthorizedly with intent to commit theft. When intercepted, the applicant allegedly used abusive language, picked up an iron angle lying nearby, and assaulted the complainant with intent to cause his death. The complainant raised his right hand to ward off the blow and sustained an injury to his right arm. Upon intervention by fellow security guards, the applicant fled from the spot.

3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the crime. It is further submitted that the investigation is complete and the charge-sheet has already been filed before the competent court. The applicant has been in judicial custody since 04.08.2026. Though there was one previous criminal antecedent registered against the applicant in the year 2016, he has already been acquitted in that case. and trial is likely to take some time; thus, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submitted that the applicant assaulted an on-duty security guard with an iron object, and he has one criminal antecedent, and thus, he is not entitled for grant of bail.

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

6. Taking into consideration the nature of the accusations and the materials available in the case diary; the absence of any medical opinion on record establishing that the injury sustained on the complainant's right hand was dangerous to life; the fact that the investigation stands concluded and the charge-sheet has already been filed; the applicant has been languishing in jail since 04.08.2026; the applicant stands acquitted in the for the crime registered in the year 2016; and the final conclusion of the trial is likely to take sufficient time,

this Court is inclined to grant regular bail to the applicant. 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.

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

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