CGHC010378172026 2026:CGHC:44226

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9124 of 2026

1 - Sahil Khan S/o Late Shfik Khan @ Sappu, Aged About 19 Years R/o Idgah Bhatha, Police Station Azad Chowk, Raipur Tahsil And District Raipur (C.G.) --- **Applicant(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, District Raipur (C.G.) --- **Respondent(s)**

MCRC No. 9478 of 2026

1 - Mohammad Aavesh S/o Mohammad Asgar Aged About 19 Years R/o Eidgah, Bhatha, Near Hind Sports Ground, P. S. Azad Chowk Raipur, District Raipur Chhattisgarh. **---Applicant(s)**

Versus

1 - State Of Chhattisgarh Through- Station, House Officer Police Station Azad Chowk District Raipur Chhattisgarh. --- **Respondent(s)**

MCRC No. 9179 of 2026

1 - Minhaz Khan @ Moin S/o Late Mustaq Khan Aged About 22 Years R/o Idgah Bhatha, Near Faruq Kirana Store, Police Station Azad Chowk, Raipur Tahsil And District Raipur (C.G.) **---Applicant(s)**

Versus

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1 - State Of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, District Raipur (C.G.) **... Non-applicant**

For Applicants	**:**	Mr. C. R. Sahu and Akhtar Hussain, Advocates
For Non-applicant	**:**	Ms. Laxmeen Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13/10/2026

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 applicants who have been arrested in connection with Crime No. 0307/2025 registered at Police Station - Azad Chowk, Raipur District-Raipur (C.G.), for the offences punishable under Sections 109, 296, 351(2), 115(2), 118(1), 191(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act.

2. According to the prosecution case, in brief, the complainant, Mohd. Altaf, lodged a report at Police Station Azad Chowk, Raipur (District Raipur), alleging that on 18.10.2025, during the removal of a sandalwood sheet, a dispute arose between the parties. It is alleged that the accused persons assaulted the complainant using fists, an iron rod, and a batta, with the intention to commit murder. Based on the said report, the police registered a First Information Report bearing Crime No. 0307/2025 for offences punishable under Sections 109, 115(2), 118(1), 191(3), 296, and 351(2) of the Bharatiya Nyay Sanhita, 2023. Subsequently, after completion of the investigation, the prosecution filed a charge sheet before the learned court below for offences punishable under Sections 109, 296, 351(2), 115(2), 118(1), and 191(3) of the Bharatiya Nyay Sanhita, 2023, along with Sections 25 and 27 of the Arms Act.

3. It is submitted by the learned counsel for the applicants that the present applicants are innocent and have been falsely implicated in the aforesaid case. It is further submitted that the medical report does not support the case of the prosecution. They further submits that co-accused persons, namely, Mohammad Juned Chauhan and Mohammad Asgar and Mohd. Saifi have already been granted bail by this Court vide order dated 27.02.2026, 01.04.2026 and 06.05.2026 passed in MCRC Nos. 2048/2026, 2674/2026 and 4185/2026 respectively. It is further contended that the charge-sheet has already been filed. The applicants have no criminal antecedents. The applicants have been in judicial custody since 01.07.2026. In light of the aforesaid facts and circumstances, it is prayed that the applicants be released on regular bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that as per the prosecution case, all the accused persons including the present applicants formed an unlawful assembly and jointly assaulted the victims, co-accused Mohammad Saifi and another inflicted knife (stab) injuries, co-accused Junaid assaulted with a wooden bat and the present applicants along with other co-accused participated in the assault by hands and fists, resulting in multiple injuries to the injured persons, which are grievous in nature hence, considering the common intention, active participation and gravity of the offence, therefore, the applicants are not entitled to bail.

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

6. Taking into consideration the facts and circumstances of the case, the

nature of the allegations, and the material available on record, particularly the fact that the co-accused persons, namely, Mohammad Juned Chauhan, Mohammad Asgar and Mohd. Saifi, have already been granted bail by this Court vide orders dated 27.02.2026, 01.04.2026 and 06.05.2026 passed in MCRC Nos. 2048/2026, 2674/2026 and 4185/2026, respectively, and further considering that the charge-sheet has already been filed, the applicants have no criminal antecedents, and they have been in judicial custody since 01.07.2026, this Court is of the view that the applicants are entitled to be released on bail in the present case.

7. Accordingly, the bail applications of the applicants are **allowed**. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety each in the like sum to the satisfaction of the concerned trial Court, he 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 them from disclosing such fact to the Court;
(ii) They shall not act in any manner which will be prejudicial to 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 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

Jyoti