CGHC010383212026 2026:CGHC:45075

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9150 of 2026

1 - Azhar Ali S/o Sheikh Samiruddin Aged About 67 Years Permanent R/o Village Chaudhwar, Koklamari, P.S. Pukhriya, Distt. Malda (West Bangal), Presently R/o Milupara, Tehsil Tamnar, District Raigarh Chhattisgarh

... Applicant(s)

versus

1 - State Of Chhattisgarh Through Station In-Charge, Police Station - Tamnar, District Raigarh Chhattisgarh .... **Non-applicant**

For Applicant	**:**	Mr. Anuroop Panda, Advocate
For Non-applicant	**:**	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

26/10/2026

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. 52/2026, registered by the Tamnar, District Raigarh (C.G.) for the offence punishable under Section 103(1) and 238 of BNS.

2. The case of the prosecution, in brief, is that the applicant/accused had come to Village Milupara along with other persons from Maydool for working as a watchman at the under-construction tower of Krishna Power Pvt. Ltd., Chennai. After working for about one month, all the

other persons returned home, whereas the applicant and the deceased namely Lakhan @Darbhaiya Chowdhary, continued to work as watchmen at the site where the construction work was going on at Milupara. On 09.03.2026, at about 08:30 PM, a dispute arose between the applicant and the deceased at Naharpara, Village Milupara. During the altercation, the applicant allegedly knocked the deceased to the ground and assaulted him with a torch and fists, and strangulated him, as a result of which the deceased sustained injuries and subsequently died. It is further alleged that the applicant washed the bloodstains from the torch with water to destroy the evidence. The applicant also allegedly cut the rope tied to the tower with a knife and thereafter telephonically informed his associates, Raviul and Sohel, who were staying at Khamhariya at night, by giving them false information that four to five persons had arrived and were cutting the tower rope. He further informed them that when he and the deceased objected, those persons assaulted them, took the deceased away, and threatened to kill them and throw their bodies away. Thereafter, a case was registered against the present applicant for the aforesaid offence.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the allegations made against the applicant are false and that the applicant has not committed the alleged offence. It is also submitted that the investigation is complete and the applicants are in custody since 17.03.2026. Therefore, learned counsel prays that the applicant may kindly be enlarged on regular bail.

4. On the other hand, learned State Counsel opposes the bail application and submits that the allegations against the applicant are serious in

nature. She further submits that the applicant allegedly assaulted the deceased with a torch and fists and strangulated him, resulting in his death, and thereafter attempted to destroy the evidence by washing the bloodstains from the torch and creating a false story to mislead the investigation. He, therefore, prays for rejection of the bail application.

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 and gravity of the offence, and the specific allegations against the applicant that he assaulted the deceased with a torch and fists and strangulated him, resulting in his death, and thereafter allegedly attempted to destroy the evidence and mislead the investigation by creating a false story, I am not inclined to grant regular bail to the applicant. Accordingly, the bail application is **rejected.**

7. The learned Trial Court is directed to expedite the trial and conclude the same as expeditiously as possible.

Sd/-
Rakesh Mohan Pandey
JUDGE

Jyoti