CGHC010384432026 2026:CGHC:42915

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9333 of 2026

Aaditya Yadav @ Lalia S/o Sudama Yadav Aged About 26 Years R/o Mo Babupara (Gouravpath Road) Police Station Manipur Nagar Ambikapur District Sarguja Chhattisgarh.

... Applicant(s)

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

versus

State Of Chhattisgarh Through Station House Officer Police Station Gandhinagar District Sarguja Chhattisgarh

... Non-Applicant(s)

For Applicant	:	Mr. Rahul Pathak, Advocate.
For Non-Applicant/State	:	Ms. Ankita Shukla, Panel Lawyer.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/10/2026

1. This is the Second Bail Application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 41/2025, registered at Police Station Gandhinagar, District Surguja (C.G.), for the offence punishable under Sections 296, 351(3), 115(2), 109, 190 and 191(2) of the Bharatiya Nyaya Sanhita, 2023.

2. Earlier first bail application of the applicant was rejected by a Co-ordinate Bench of this Court in MCRC No. 5949/2026 vide order

dated 06.07.2026, particularly taking into consideration the serious injuries caused to the injured and the criminal antecedents of the applicant. Hence, the present Second Bail Application.

3. The case of the prosecution, in brief, is that on 10.01.2025, the complainant Harshit Chakraborty lodged a written report at Police Station Gandhinagar alleging that while he along with his friends Rahul Haldar and Shubham Sarkar was passing near Medical College Chowk, the accused persons, including the present applicant, came in a car and motorcycles and assaulted them with iron rods and other weapons, causing injuries to the complainant and his companions and also extended threats to their lives. On the basis of the said report, Crime No. 41/2025 was registered for the aforesaid offences. During investigation, the statements of the complainant and witnesses were recorded, the injured was medically examined and CCTV footage was collected. The complainant identified the present applicant in the photographs prepared from the CCTV footage. Thereafter, charge-sheet has been filed against the accused persons, including the present applicant.

4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the police did not conduct proper enquiry before registering the offence against the applicant and that the allegations levelled against him are false and baseless. He would also submit that no incriminating article has been seized from the

possession of the applicant and further submit that co-accused Vineet Boss has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 20.03.2025 passed in MCRC No. 2223/2025. So far as the criminal antecedents of the applicant are concerned, he has disclosed 15 criminal antecedents in Part-D of the bail application. Accordingly, he prays for grant of bail to the applicant.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has 15 criminal antecedents, out of which 10 cases are still pending before different Courts. He would further submit that the first bail application of the applicant was already rejected by a Co-ordinate Bench of this Court, particularly taking into consideration his criminal antecedents. So far as the parity with co-accused Vinit Bos is concerned, it is submitted that the said co-accused had only three criminal antecedents, whereas the present applicant has 15 criminal antecedents. Thus, the case of the present applicant is clearly distinguishable from that of the co-accused who has been granted bail. Accordingly, she submits that the applicant, being a habitual offender, is not entitled to be released on bail.

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

7. Considering the overall facts and circumstances of the case, nature and gravity of the offence alleged against the applicant and particularly the fact that the first bail application of the applicant was

rejected by a Co-ordinate Bench of this Court in MCRC No. 5949/2026 vide order dated 06.07.2026, taking into consideration, inter alia, his criminal antecedents, this Court finds no substantial change in circumstance warranting reconsideration of the prayer for bail.

8. So far as the ground of parity is concerned, although co-accused Vinit Bos has been granted bail by a Co-ordinate Bench of this Court vide order dated 20.03.2025 passed in MCRC No. 2223/2025, the said co-accused had only three criminal antecedents, whereas the present applicant has 15 criminal antecedents, out of which 10 cases are still pending before different Courts. Having regard to the criminal antecedents of the applicant and the fact that his earlier bail application has already been rejected on the ground of his antecedents, this Court is not inclined to grant bail to the applicant.

9. Accordingly, the Second Bail Application filed by the applicant, involved in Crime No. 41/2025, registered at Police Station Gandhinagar, District Surguja (C.G.), for the offence punishable under Sections 296, 351(3), 115(2), 109, 190 and 191(2) of the Bharatiya Nyaya Sanhita, 2023, is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal