CGHC010391542026 2026:CGHC:44524

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1708 of 2026

Harihar Prasad Patel S/o Salikram Patel Aged About 73 Years R/o Village - Gaare, P.S. And Tehsil - Tamnar Dist - Raigarh, Chhattisgarh.

--- **Applicant**

versus

State Of Chhattisgarh Through - S.H.O., Police Station - Tamnar, District - Raigarh, Chhattisgarh.

--- **Respondent**

(Cause title is taken from CIS system)

For Applicant : Mr. Sanjay Agrawal, Advocate
For Respondent/State : Mr. Ramnarayan Sahu, Dy.G.A.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

14/10/2026

1. This is the first bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 303/2025 registered at Police Station - Tamnar, District – Raigarh (C.G.) under Sections 126 (2), 296, 351 (2), 109 (1), 191 (2), 191 (3), 190, 132, 121 (1) and 49 of B.N.S.

2. As per the case of the prosecution, the villagers of 14 coal mining affected villages had been protesting and allegedly blocking the road

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

at CHP Chowk, Libra in opposition to a public hearing scheduled on 08.12.2025. Despite repeated directions by the administration and police authorities to remove the blockade and maintain peace, on 27.12.2025 a large mob of about 300–400 persons allegedly continued the unlawful blockade and obstructed movement of public vehicles. It is alleged that when police and administrative officers reached the spot to restore law and order, the protesters, including the present applicant along with other co-accused persons, became aggressive, surrounded the police force, abused them in filthy language and attacked them with sticks, stones and other weapons with an intention to kill. The prosecution further alleges that the applicant and co-accused persons assaulted Inspector, Kamla Pusam Thakur, woman Head Constable, Pramila Mahant, Sub-Inspector, Deepika Nirmalkar and other police personnel by dragging and beating them, causing injuries to them, and also damaged and set fire to a government police vehicle.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case. Applicant has not committed any offence as alleged. He submits that applicant along with other persons were protesting, in which some unknown persons may have become violent in which police personnel may have suffered injuries, however, applicant has not committed any act so as to assault by which police personnel would have suffered injuries. He contended that from one incident, four crime is registered. After rejection of bail application, one of the co-accused Rupesh Patel has filed SLP (CRL) No. 9742 of 2026 in which Hon’ble Supreme Court has extended the benefit of anticipatory bail vide its order dated 27.07.2026, copy of which is enclosed along this bail application. He also submits that

allegation against applicant is similar to that of co-accused Rupesh Patel. Hence, it is prayed that applicant may also be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant. He submits that four police personnel suffered injuries by the act of applicant and other co-accused persons. Upon asking he submits that there is no specific allegation against applicant of assault. He submits that in statement of Kamla Kausam, Station House Officer, it has come that at the time of public hearing, applicant was provoking other persons.

5. I have heard learned counsel for parties and perused the documents placed on record.

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, submission made by learned counsel for respective parties and further considering the fact that Hon'ble Supreme Court has extended the benefit of anticipatory bail to one co-accused Rupesh Patel taking into consideration of four crime registered pertaining to the same incident, without commenting anything on merits of the case, I am inclined to release the applicant on anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on anticipatory bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the

concerned arresting officer. Applicant shall also abide by the following conditions:-

(i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the applicant 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 facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Balram