CGHC010387972026 2026:CGHC:46262

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9294 of 2026

1 - Kunal Sahu S/o Manoj Sahu Aged About 18 Years Ward No. 1, Near Saai Temple, Ramsagar, Para, Tehsil And Distt- Korba (C.G.)

... Applicant(s)

versus

1 - State Of Chhattisgarh Through P.S. Kotwali, Distt- Korba (C.G.)

... Respondent(s)

MCRC No. 9524 of 2026

1 - Ajay Kumar Khuntey S/o Rajkumar Khuntey, Aged About 19 Years R/o Ramsagar Para, Near Daliya Godown, Korba, Tehsil And District - Korba C.G. **... Applicant(s)**

versus

1 - State Of Chhattisgarh Through Police Station City Kotwali, Korba District Korba C.G. **... Non-applicant**

For Applicants	**:**	Mr. Vikas Kumar Pandey and Ms. Anushree Mishra, Advocates
For Non-applicant	**:**	Mr. Dharmesh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02/11/2026

1. Since both the bail applications arise out of the same Crime Number, they are heard together and are being disposed of by this common order.

2. This is the first bail application filed under Section 483 of the Bhartiya

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Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 552/2026 registered at Police Station – Kotwali, District Korba (C.G.), for the offences punishable under Sections 103(1) and 3(5) of BNS.

3. The case of the prosecution, in brief, is that on 22.06.2026, the complainant, Krishna Kumar Yadav, lodged a written report at Police Station Kotwali, District Korba (C.G.), alleging that on 21.06.2026, his son Ravi Yadav had gone to attend a marriage ceremony in the locality along with his friend Parveen Yadav. At about 9:00 p.m., the complainant received information that his son had been assaulted by some persons near Moti Shop, situated at Ramsagar Para. Upon reaching the spot, he found his son lying unconscious by the roadside with bleeding injuries on his head, legs and other parts of his body. On being enquired, Parveen Yadav informed him that while they were returning home after attending the marriage ceremony at about 8:30 p.m., their friend Kishan Kashyap was being assaulted by Harshit Gangwani, his father Mahendra Gangwani and their associates. When Ravi Yadav intervened to rescue Kishan Kashyap, the accused persons also assaulted him with bricks, sticks and other objects, causing serious injuries. Thereafter, Ravi Yadav was taken to the hospital for treatment, where he succumbed to his injuries. On the basis of the written report lodged by the complainant, the police registered FIR bearing Crime No. 552/2026 dated 22.06.2026 at Police Station Kotwali, District Korba (C.G.), for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, against co-accused Harshit Gangwani, Mahendra Gangwani and other

persons.

4. Learned counsel for the applicants submits that the present applicants have not been named in the FIR, nor have they been implicated in the statements recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He further submits that the allegations of assault have been levelled against co-accused Harshit Gangwani and his father Mahendra Gangwani. Moreover, the articles allegedly used in the commission of the offence were seized at the instance of the said co-accused persons, and no incriminating articles have been recovered from the possession of the present applicants. He further submits that the charge-sheet has already been filed, the applicants have no criminal antecedents and they have been in judicial custody since 21/22.06.2026. In view of the aforesaid submissions, learned counsel prays for grant of regular bail to the applicants.

5. On the other hand, learned State Counsel opposes the bail application and submits that the offence alleged against the applicants is serious in nature, as the deceased succumbed to the injuries sustained during the incident. He further submits that the applicants were involved in the commission of the offence along with other co-accused persons. Hence, he prays for rejection of the bail application.

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

7. 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 injured witnesses, namely Kishan and

Suraj Das, have not implicated the present applicants in their statements recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and that, as per the FIR and statements of the witnesses, the allegations of assault have primarily been levelled against co-accused Harshit Gangwani and his father Mahendra Gangwani, no incriminating articles have been seized from the possession of the present applicants, the charge-sheet has already been filed, the applicants have no criminal antecedents and they have been in judicial custody since 21/22.06.2026, this Court is of the view that the applicants deserve to be released on regular bail. Accordingly, the application is allowed.

8. 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