CGHC010393432026 2026:CGHC:45863

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1663 of 2026

1 - Hemlal Dewangan S/o Shri Ghanshyam Dewangan Aged About 50 Years R/o House No. 279, Ward No. 05, Sanjay Nagar, Nayapara, Mahasamund P.S. And Tehsil And Distt- Mahasamund (C.G.)

--- Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Mahasamund, Distt- Mahasamund (C.G.)

--- Respondent

(Cause title is taken from CIS system)

For Applicant : Mr. Sudhir Kumar Sahu, Advocate

For Respondent/State : Ms. Prachi Singh, P.L.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

29/10/2026

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. 498/2026 registered at Police Station – Mahasamund, District – Mahasamund (C.G.) under Sections 118 (1), 296, 351 (3) of B.N.S., 2023.

2. As per the prosecution case, on 03.09.2026, at about 11:00 a.m., the applicant allegedly abused and assaulted the complainant/victim using

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

obscene language against his mother and sister, threatened to kill him, and, while brandishing a vegetable-cutting knife, stabbed him in his left thigh above the knee and fled away from the spot. On the basis of the complaint, an FIR was registered against the applicant.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case. He submits that applicant and the complainant are working as driver and conductor, however, when they were in duty on the vehicle assigned, some dispute took place, due to the act of the complainant, as per allegation it appears that under the heat of passion, applicant assaulted by means of vegetable cutting knife, which was lying in front of him. He submits that according to his instructions, injuries suffered by the victim is simple in nature. Hence, it is prayed that applicant may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant, she however, do not dispute the submission of learned counsel for applicant that at the time of accident, applicant and complainant were working in one vehicle as driver and cleaner and applicant is diver. Upon putting query, she submits that according to MLC report, the injuries suffered by victim is simple in nature.

5. Learned counsel for the objector made similar submission as made by learned State counsel.

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

7. Taking into consideration the facts and circumstances of the case, nature of allegation, submission made by learned counsel for

respective parties, without commenting anything on merits of the case, I am inclined to release the applicant on anticipatory bail.

8. 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