CGHC010395092026 2026:CGHC:47185

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9579 of 2026

Shiva @ Shibu Mahanand S/o Nanu Mahanand Aged About 26 Years R/o B.S.U.P Colony, Block No.4, Makan No.22, Daldal Sivni, Thana Pandri, District Raipur (C.G.)

... Applicant

Versus

State Of Chhattisgarh Through - Police Station Pandri, District Raipur (C.G.)

... Respondent(s)

For Applicant	:	Mr. Vikas Kumar Pandey, Advocate
For Non-Applicant	:	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.11.2026

1. This is the first bail application filed under under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 51 of 2026 registered at Police Station: Pandri, District: Raipur, Chhattisgarh for the offence punishable under Sections 109 (1), 296, 115 (2), 351 (2) and 3 (5) of BNS.

2. That, as per the prosecution story, in brief, is that on 05/03/2026, the complainant, namely, Malti Soni, lodged a report at Police Station

Pandri, Raipur, District Raipur (C.G.), alleging that on the same date, the applicant and the other co-accused person assaulted her husband, namely, Ranjeet Soni, with hands and fists on his back. It is further alleged that the applicant also assaulted her husband with a sharp-edged weapon, as a result of which he sustained injuries. On the basis of the said oral report, the police registered Crime No. 51/2026 against the applicant and the co-accused person for the aforesaid offences. A copy of the FIR is filed herewith and marked as Annexure A/2.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant has been in judicial custody since 07.03.2026. It is further submitted that the allegations levelled against the applicant are false and exaggerated. As per the medical report of the injured person, the injuries sustained by him are simple in nature, and no grievous injury has been found. It is further submitted that the applicant has three criminal antecedents, out of which one case registered in the year 2024 has already been disposed of, while the remaining two cases are still pending. Therefore, considering the nature of the allegations, the simple nature of the injuries, the period of judicial custody undergone by the applicant since 07.03.2026, and the overall facts and circumstances of the case, no useful purpose would be served by keeping the applicant in further judicial custody. Hence, the applicant deserves to be enlarged on regular bail.

4. Learned counsel for the State opposes the bail application and submits that the applicant is involved in a serious offence and has actively participated in the commission of the alleged crime. It is further submitted that the applicant has three criminal antecedents, out of which two criminal cases are still pending. Considering the nature and gravity of the allegations, the criminal antecedents of the applicant and

the overall facts and circumstances of the case, the applicant does not deserve to be enlarged on regular bail. Hence, the bail application is liable to be rejected.

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

6. Having heard learned counsel for the parties and upon perusal of the case diary and other material available on record, considering the fact that the applicant is in judicial custody since 07.03.2026, the injuries sustained by the injured person are simple in nature, this Court is of the considered opinion that the applicant may be enlarged on regular bail. Accordingly, without expressing any opinion on the merits of the case, the bail application is allowed.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b)he 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 from disclosing such fact to the Court; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Saurabh