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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1697 of 2026

1 - Vinay Madhukar S/o Shyam Lal Madhukar Aged About 29 Years R/o Shanti Nagar, Balco Ward No. 33, Police Station Balco, District Korba (C.G.)
2 - Pratibha Dwivedi W/o Rajesh Kumar Dwivedi Aged About 56 Years R/o Village Shanti Nagar, Balco Ward No. 33, Police Station Balco, District Korba (C.G.)
3 - Prince Burman S/o Dinesh Kumar Burman Aged About 21 Years R/o Quarter No.8, Locality Sector 6 Balco, Police Station Balco, District Korba (C.G.)
4 - Anurag Joshi S/o Chandrashekhar Joshi Aged About 33 Years R/o Shanti Nagar Part-1, Village Risda, Police Station Balco, District Korba (C.G.) **... Applicants**

versus

State Of Chhattisgarh Through Station House Officer, Police Station - Janjgir, District - Janjgir-Champa (C.G) **...Respondent**

For Applicants	: Mr. Sourabh Sahu, Advocate.
For Respondent-State	: Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Parth Prateem Sahu, Judge
ORDER ON BOARD

12/10/2026

1. Applicants have preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as they apprehended their arrest in connection with Crime No. 606/2026 registered at Police Station – Janjgir District - Janjgir -Champa (C.G.) for the offence punishable under Sections 115(2), 238, 296, 3(5), 309, 324(5), 326(f) & 351(3) of the BNS.

2. Case of the prosecution, in brief, is that the complainant, Upendra Tiwari, lodged a written complaint with the police alleging that he was in possession of ancestral land bearing Khasra No. 2140/1, situated at

Village Khokhra, which he had been cultivating for the last 20 years. It is alleged that Pratibha Dwivedi and her associates took away the crops cultivated on the said land and also damaged the crops by setting them on fire. When the complainant objected to their acts, the applicants allegedly threatened him, caused harm to him, and robbed him of his mobile phone. On the basis of the said complaint, an FIR was registered against the applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present crime. He further submits that there was a property dispute between applicant No. 2 and the complainant. At the time of harvesting the crops, when applicant No. 2, along with the other applicants, went to the agricultural field, the complainant raised an objection, which led to a dispute. During the incident, an attempt was made to assault applicant No. 2 with an iron rod used for shuttering purposes in house construction. Immediately after the incident, a report was lodged with the police on 19.05.2026; however, no action was taken on the said report. After knowing the said report, the complainant lodged the present report on 14.08.2026, after an inordinate delay of approximately three months, which indicates that false and baseless allegations have been levelled against the applicants. Therefore, the applicants may be granted the benefit of anticipatory bail.

4. Learned State Counsel opposes the submissions made by learned counsel for the applicants and submits that there is an eyewitness to the incident, namely, Netram Survanshi. In his statement, he has stated that, upon hearing the commotion, he reached the agricultural field and saw that some of the applicants had pointed a pistol-like object at the complainant’s abdomen and thereafter fled from the spot. He has further stated that the crops were set on fire. The witness also stated that the

complainant informed him that, while he was recording the applicants setting the crops on fire, he was assaulted and his mobile phone was snatched.

5. However, when question posed to the learned counsel for the applicant regarding the document (Annexure A-3), which bears the seal of Police Station Janjgir-Champa, he submitted that no such document is available in the case diary.

6. He further submit that on the direction issued by this Court he has verified with regard to the action taken on the complaint (Annexure P/3) dated 19.05.2026of the applicant No.2 and according to his instruction the preventive action has been taken against the persons named therein.

7. I have heard learned counsel for the respective parties.

8. On due consideration of the facts and circumstances of the case, nature of the allegations, submissions made by learned counsel for the parties, the property dispute between the two families, i.e., applicant No. 2 and the complainant, and further considering that applicant No. 2 lodged the report on the same day of the incident, whereas the complainant lodged the report after three months, without commenting anything on the merits of the case, I am inclined to allow this anticipatory bail application.

9. Accordingly, application is allowed and it is directed that in the event of arrest of applicants in connection with the crime in question (606/2026), they 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 each in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

(i) that the applicants shall make themself available for interrogation before the Investigation Officer as and when required;

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

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

10. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)
JUDGE

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