CGHC010397402026 2026:CGHC:47039

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9863 of 2026

Mohammad Asraf Kuraishi S/o Mohammad Saleem Kuraishi Aged About 22 Years R/o Shivaji Chowk Charoda, Police Station Purani Bhilai, District Durg Chhattisgarh

... Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Kumhari, District Durg Chhattisgarh

... Respondent(s)

For Applicant	:	Mr. Praveen Dhurandhar, Advocate
For Non-Applicant	:	Ms. Laxmin Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.11.2026

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.199 of 2024 registered at Police Station: Kumhari, District: Durg, Chhattisgarh for the offence punishable under

Section 296, 115 (2), 351 (2), 109 and 3 (5) of BNS.

2. The case of the prosecution, is that the complainant- Ankit Kumar Banjare was standing near lord Ganesh Pandal at the same time Paathan came there and started abusing the complainant and also started quarrel and thereafter a free fight happened between them and the complainant sustained injuries and very next day he got registered fir against the said Pathan and thereafter he narrated name of other accused person and said that the all accused persons have assaulted him with help of knife, hand and feast, bamboo stick and due to the above assault he received injuries over his back side and over his other part of body and thus the concerned police station lodged the above report and arrested the applicant. Hence, this application.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the the charge- sheet has already been filed, that the applicant has no criminal antecedents, and that he has been in jail since 29.08.2026. He also submits that co-accused person Omkar Nishad has already been enlarged on bail vide order dated 11.11.2025 passed in MCRC No. 9023 of 2025. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application.

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

6. Having considered the facts and circumstances of the case, the charge-sheet has already been filed, that the applicant has been in jail since 29.08.2026, and co-accused Omkar Nishad has already been enlarged on bail vide order dated 11.11.2025 passed in MCRC No. 9023 of 2025 and the applicant has no criminal antecedents and that the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail.

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