CGHC010400092026 2026:CGHC:45178

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1693 of 2026

Jeevan S/o Uttam Singh Kashyap, Aged About 19 Years R/o Village Ghivari, P.O. Karesara, P.S. Bemetara, Tehsil Than-Khamhariya, Distrct Bemetara (C.G.)

... Applicant (s)

versus

State Of Chhattisgarh Through- Station House Officer, Police Station Than-Khamhariya, District Bemetara (C.G.)

... Respondent(s)

For Applicant	:	Mr. KPS Gandhi, Advocate
For State	:	Ms. Prachi Singh, Panel Lawyer
For Objector	:	Mr. Sudhir Verma, Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

26/10/2026

1. Applicant has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.160 of 2026 registered at Police Station- Than-Khamhariya, District- Bemetara (CG) for offence punishable under Sections 109 (1) and 3 (5) of the BNS.

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2. Case of the prosecution, in brief, is that on 12.09.2026, injured Mahendra went with Jeevan and Yashwant to Than-khamhariya on Jeevan's motorcycle. After consuming liquor, while returning, an altercation took place near Village Khati. Present applicant allegedly attacked Mahendra with a sharp edged weapon and a stone, while Yashwant allegedly assaulted him with fists and kicks. Both accused persons then fled away from the spot. Injured was taken to Bemetara Hospital and thereafter referred to Raipur. On the basis of report lodged on behalf of injured Mahendra Nirmalkar, FIR bearing Crime No. 160/2026 was registered against the applicant and other accused person. Applicant is apprehending his arrest in connection with the aforementioned crime number.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the crime. He has not committed any such offence. Complainant suffered injury because of accident and the applicant has not made assault as alleged, hence, he may be extended benefit of anticipatory bail.

4. On the other hand, learned counsel for the State opposes the submission of learned counsel for the applicant and further submits that as per allegation, applicant caused an injury to the victim’s abdomen with a sharp-edged weapon, resulting in injury to the gallbladder. Applicant further smashed a stone onto the victim’s leg, causing two fractures.

5. Learned counsel appearing for the objector also opposes the submission of learned counsel for the applicant and adopts the submission of learned counsel for the State.

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

7. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, nature of allegation, manner in which offence is stated to have been committed, I do not find present to be a fit case to extend benefit of anticipatory bail to applicant.

8. Application is accordingly rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen