CGHC010400882026 2026:CGHC:45866

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1713 of 2026

1 - Maheshwar Deep S/o Bignu Deep Aged About 26 Years R/o Sidharth Colony, Tikrapara Raipur, Chhattisgarh.

2 - Navdeep Soni S/o Videshi Soni Aged About 26 Years R/o Sidharth Colony, Tikrapara, Raipur Chhattisgarh.

--- Applicant

versus

1 - State Of Chhattisgarh Through Purani Basti Police Station Raipur, Chhattisgarh.

--- Respondent

(Cause title is taken from CIS system)

For Applicants : Mr. Janu Khare, Advocate
For Respondent/State : Mr. Himanshu Yadu, P.L.

BALRAM PRASAD DEWANGAN Digitally signed by BALRAM PRASAD DEWANGAN

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 applicants who are apprehending their arrest in connection with Crime No. 481/2026 registered at Police Station – Purani Basti, Raipur, District – Raipur (C.G.) under Sections 109 (1), 3 (5) of BNS.

2. As per the prosecution case, complainant Rishabh Sharma alleged that on 08.09.2026, at around 10:30 p.m., while returning home in his pickup vehicle, he was abused and assaulted near Hanuman Temple, Sweeper Mohalla, BSUP Colony, during a Dahi Handi event. When he objected, Kumar alias Raju Banchhor allegedly stabbed him in the abdomen with a knife, while Milo assaulted him on the head with an iron rod, causing bleeding injuries. Thereafter, the accused persons fled from the spot. On the basis of the complaint, Crime No. 481/2026 was registered at Police Station Purani Basti under Sections 109(1) and 3(5) of the BNS against accused persons.

3. Learned counsel for applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants have not committed any offence as alleged. He submits that according to the case of the prosecution, the incident happened when the programme of Dahi Handi was being celebrated by persons of vicinity and allegedly the incident happened due to blowing of horn by the injured of his four wheeler. There is no criminal antecedents against applicants. Hence, it is prayed that applicants may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant. He submits that due to crowd the vehicle of the injured could not passed, he blow horn and thereafter parked the vehicle and went to Pan shop. At that relevant time, applicants along with others came, abused and assaulted the injured Rishabh. Applicant No.1 has assaulted by means of iron road and one another co-accused Raju Bansod by means of knife. Upon putting query, he submits that

allegation of assault against applicant No.2 is by hands and fists. Upon further putting query, he submits that there is no criminal antecedents against applicant.

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

6. Taking into consideration the facts and circumstances of the case, in particular considering that applicant No.1 assaulted the injured by means of iron rod I do not find present to be a fit case to enlarge the applicant No.1 on anticipatory bail. Accordingly the bail application in respect of the applicant No.1 is rejected.

7. So far as the allegation against applicant No.2 is of assault by hands and fists, and there is no criminal antecedents, I am inclined to release the applicant No.2 on anticipatory bail.

8. Accordingly, the anticipatory bail application of applicant No.2 is allowed. It is directed that in the event of arrest of the applicant No.2 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 No.2 shall also abide by the following conditions:-

(i) that the applicant No.2 shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the applicant No.2 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 No.2 shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant No.2 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