CGHC010401392026 2026:CGHC:46949

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9839 of 2026

Omprakash Pal S/o Chandrakumar Pal, Aged About 21 Years R/o 203/1, Ganga Nagar, Bilaspur Road, W.R.S. Colony, Bhanpuri, Tahsil And District Raipur Chhattisgarh. --- **Applicant**

versus

NADIM MOHLE Digitally signed by NADIM MOHLE Date: 2026.11.05 [illegible]

State Of Chhattisgarh Through Station House Officer, Police Station Khamtarai District Raipur Chhattisgarh. --- **Non-Applicant/State**

MCRC No. 10040 of 2026

Aditya Kumar Dhurandar S/o Balram Dhurandar Aged About 25 Years (As Per The Aadhar Card And In The Impugned Order) (Wrongly Mentioned In The F I R) R/o Ward No. 12 Azad Nagar Neem Chowk Birgaon , Tehsil And Distt- Raipur (C.G.)

2 - Tesu Sahu S/o Guljari Sahu Aged About 20 Years R/o Shakti Para Near Govt. School Urkura, P/o Birgaon P.S. Khamtarai , Distt- Raipur (C.G.).

---**Applicants**

Versus

State Of Chhattisgarh Through Police Station Khamtarai Distt- Raipur (C.G.).

--- **Non-Applicant/State**

For Applicants	**:**	Mr. C. R. Sahu, Advocate and Mr. Akshat Pandey, Advocate holding the brief of Mr. B. P. Singh, Advocate
For Non-Applicant/State	**:**	Mr. Keshav Gupta, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/11/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants, who have been arrested in connection with Crime No. 739/2026 registered at Police Station Khamtarai, District Raipur (C.G.) for offences punishable under Sections 296, 115(2), 351(2), 119(1), and 191(2) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief, is that on the intervening night of 30/31.07.2026, at about 01:30 AM, while complainant Thanendra Kumar Sahu along with auto driver Abdul Saif was returning after dropping two daily wage workers in an auto-rickshaw bearing registration No. CG 04 QY 7947, 7 to 8 persons intercepted their vehicle near Shakti Para Hanuman Mandir. It is alleged that the accused persons forcibly made them get down, demanded money, abused them with filthy language, threatened to kill them, and assaulted them with hands and fists, causing injuries. Due to intimidation, the complainant handed over ₹3,300/- and the auto driver gave ₹1,000/- to the assailants. On the basis of the lodged report, the aforesaid crime was registered against the applicants and other co-accused persons. During the course of the investigation, on the basis of memorandum statements, cash amounts of ₹800/- from applicant Omprakash, ₹1,800/- from applicant Aditya Nishad, and ₹1,000/- from applicant Tesu Sahu were recovered.

3. Learned counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case on mere suspicion. Out of 8 accused persons, 5 are juveniles. It is further submitted that no Test Identification Parade was conducted by the investigating agency to establish the identity of the applicants, the charge-sheet has already been filed before the competent court, and the applicants have no previous criminal antecedents. The trial is likely

to take considerable time for its conclusion, therefore, it is prayed that the applicants may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that the applicants along with other co-accused persons intercepted the victims during late night hours, assaulted them, and looted cash from their possession; hence, they do not deserve to be released on bail.

5. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.

6. Taking into consideration the facts and circumstances of the case, particularly considering that the charge-sheet has already been filed before the trial court; no Test Identification Parade (TIP) was conducted during investigation; the applicants have no previous criminal antecedents; the applicants are in judicial custody and the trial is likely to take some time to conclude; without commenting on the merits of the case, this Court is inclined to enlarge the applicants on regular bail. Accordingly, the bail applications are **allowed**.

7. It is directed that in the event of the applicants executing their personal bond for a sum of Rs.50,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

> **(i)** they 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;
>
> **(ii)** they shall not act in any manner which will be prejudicial to fair and expeditious trial, &

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

Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim