CGHC010402462026 2026:CGHC:46958

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9852 of 2026

- Ramcharan Singh Binjhwar S/o Late Chamru Singh Binjhwar Aged About 48 Years R/o Dhapdhap, Thana Bankimongra, District- Korba (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through- P.S. Bankimongra, Distirct- Korba (C.G.)

... Non-applicant

For Applicant	:	Mr. Vikas Kumar Pandey, Advocate
For Non-Applicant	:	Mr. Sourabh Sahu, P.L.

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 Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 188/2026 registered at Police Station : Bankimongra, District : Korba (C.G.) for the offence punishable under Sections 296, 331(6) and 351(3) of Bhartiya Nyaya Sanhita, 2023 r/w Sections 3 and 4 of Tonahi Pratadna Act, 2005.

2. The prosecution story, in brief, is that on 26.09.2026 at around 07:00 PM, the applicant unlawfully entered the house of the complainant and subjected the complainant to harassment by leveling allegations of being a *Tonahi* (witchcraft). Based on the said complaint, the instant crime was registered, and the applicant was arrested on 29.09.2026

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the instant case. He contends that while the applicant has two prior antecedents registered under the Excise Act, both stand disposed of. Considering that the applicant has been in custody since 29.09.2026 and the conclusion of the trial will take time, he prays that the applicant be enlarged on regular bail.

4. On the other hand, the learned State counsel opposes the bail application and submits that the present applicant subjected the complainant to harassment by leveling allegations of being a *Tonahi*, therefore, the applicant is not entitled for grant of regular bail.

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

6. It appears that the applicant has two criminal antecedents, which are not of a similar nature and stand disposed of. Furthermore,

the investigation is complete, the charge-sheet has been filed, and the applicant has been in custody since 29.09.2026. Considering that the trial is likely to take some time to conclude, this Court is of the opinion 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

Ajinkya