CGHC010402922026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9794 of 2026

Rohit Kori @ Balla Son Of Nanka Kori, Aged About 28 Years Resident Of Nootan Chowk, Sarkanda, Police Station - Sarkanda, District Bilaspur, C.G.

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station Sarkanda, District - Bilaspur C.G.

.. Non-Applicant(s)

For Applicant	:	Mr. Kunwar Lal Sahu, Advocate.
For Non-Applicant/State	:	Mr. Dharmesh Shrivastava, Dy. Adv. Gen.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

04/11/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 969 of 2026 registered at Police Station Sarkanda, District Bilaspur (C.G.), for the offences punishable under Sections 281, 296, 125(A), 115(2), 351(3), 191(2), 191(3), 331(2) and 109 of the

Bhartiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act.

2. The case of the prosecution, in brief, is that on 26.06.2026, the complainant Nikhil Dhruv was standing on the terrace of his house, while his friends Aditya Mahant and Ravi Gandharv were standing near the house of Dilip Patil at Apollo Chowk. At that time, a small commercial vehicle (Chhota Hathi), coming from the direction of Chingrajpara, was allegedly driven rashly and negligently by its driver, who hit Aditya Mahant and Ravi Gandharv. Thereafter, the occupants of the vehicle, namely, Bandya and Bauwa, started abusing them over an old dispute. Subsequently, Aman Naidu also arrived there in a car and the accused persons, in furtherance of their common intention, assaulted Aditya Mahant and Ravi Gandharv with fibre sticks and wooden sticks, while also threatening to kill them, thereby causing injuries to them. On the basis of the written complaint lodged by the complainant, the police registered the aforesaid crime against the accused persons and during investigation, arrested the present applicant and other co-accused persons for involvement in the said crime.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the offending vehicle was being driven by another co-accused and there is no specific allegation

against the present applicant that he assaulted the injured persons. He would also submit that the applicant has not inflicted any injury upon the injured persons and the injuries sustained by the injured, namely, Aditya Mahant and Ravi Gandharv, are not of such nature as may cause death in the ordinary course of nature, therefore, the offence under Section 109 of the BNS is not made out against the applicant. It is further submitted that the name of the applicant does not find place in the written complaint or the FIR. He would also submit that the applicant is suffering from mental illness and was undergoing treatment at Mental Hospital, Sendri, District Bilaspur. The applicant is in jail since 02.07.2026 and the charge-sheet has already been filed before the competent Court. It is further contended that the trial is likely to take some time to conclude. Thus, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the present applicant, along with the co-accused persons, in furtherance of their common intention, assaulted the injured persons, namely, Aditya Mahant and Ravi Gandharv. He would further submit that, as per the case diary, one red brick weighing approximately 2.5 kilograms has been seized from the possession of the present applicant and the injuries sustained by the injured persons are reported to be serious in nature. Therefore, the bail application deserves to be dismissed.

5. I have heard learned counsel for the parties and perused the case diary and material available on record.

6. Having considered the facts and circumstances of the case, nature and gravity of offence alleged against the applicant and particularly considering the fact that the applicant has not been named in the written complaint or the FIR, there is no specific allegation that the present applicant was driving the offending vehicle or had assaulted the injured persons, charge-sheet has already been filed before the competent Court and the applicant is in jail since 02.07.2026 and the trial is likely to take some time to conclude, this Court is of the considered opinion that the applicant deserves to be enlarged on bail.

7. Accordingly, the bail application of the applicant is **allowed**. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(i) 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;

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, &

(iii) he shall appear before the trial Court on each

and every date given to him by the said Court till disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal