CGHC010403622026 2026:CGHC:45531

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9788 of 2026

Shubhampal @ Lakshminarayan S/o Sandeep Pal Aged About 18 Years R/o Ward No. 18, Chakrabhatha, District - Bilaspur (C.G.) **... Applicant**

versus

State of Chhattisgarh through Station House Officer, Police Station - Fasterpur District - Mungeli (C.G.) **... Respondent**

For the applicant	:	Dr. Arpit Lall, Advocate
For the State	:	Mr. Rohitashwa Singh, Dy. G.A., and Mr. Kalpesh Ruparel, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

28.10.2026

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No. 53/2025 registered at Police Station Fasterpur, District Mungeli (CG) for the offences under Sections 103(1), 309(4), 238, 62(2)(a) & 3(5) of BNS

2. As per the prosecution case, on 10.09.2025 at about 9:00 p.m., complainant, Hemchand Sahu, was watching his mobile phone while his nephew, Hem Prasad Sahu, was consuming liquor by the side of Dabo Road. The present applicant along with other co-accused, came there and assaulted them with an iron rod. The complainant somehow managed to

escape and with the help of villagers, informed the matter to the Police over the phone. After sometime, the Police arrived and took him and Hem Prasad to the District Hospital, Mungeli, where Hem Prasad was declared dead. Based on the report of the complainant, an FIR was registered against the applicant and co-accused and the applicant was arrested on 18.09.2025.

3. Learned counsel for the applicant submits that out of total 5 accused, 1 juvenile and 2 adult accused have been bailed out by this Court by orders passed in CRR No.266/2026 and MCRC Nos. 9081 of 2026 & 8321 of 2026 respectively and the case of the present applicant is similar to that of other accused who have been enlarged on bail. The FIR does not mention the name of the applicant. Eye witness Hemchand Sahu in his court statement has not supported the prosecution case. He further submits that till date out of a total 36 witnesses only 09 have been examined, the applicant is in jail since 18.09.2025 and there is no likelihood of the trial to be concluded at the earliest. Hence, considering all these facts, the applicant may be released on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that iron rods were seized from the applicant and co-accused Sunil Sahu and both these accused are mainly involved in the offence. He submits that the applicant along with Sunil Sahu was identified in TIP. Eye witness Hemchand in his court statements has also supported the prosecutions case against the applicant. He submits that the case of the present applicant is quite different from that of other accused who have been bailed out, therefore, he does not deserves to be released on bail.

5. Having considered the rival submissions made by learned counsel for the parties and the court statements of the eye-witness Hemchand Sahu which is stated to have identified the present applicant as also the fact that iron rod has been seized from the present applicant and further considering

the fact that the case of the present applicant is not similar to that of other accused who have been bailed out, I am of the opinion that it is not a fit case where the bail can be granted to the present applicant. Accordingly, this application is **rejected.**

6. However, looking to the custody period of the applicant as he is in jail since more than one year and treating the matter as exceptional one, the trial Court is directed to conclude the trial as early as possible preferably within a period of 5 months.

7. A copy of this order be sent to the trial Court for necessary information.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao