NIRMALA
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CGHC010403662026 2026:CGHC:46922

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9817 of 2026

1 - Sumitra Bai W/o Chandar Sai Aged About 35 Years R/o Village Kandagarhi, P.S. Chhura, Distt. Gariyaband, Chhattisgarh.

2 - Mahendra Netam S/o Bodhman Aged About 18 Years R/o Village Kandagarhi, P.S. Chhura, Distt. Gariyaband, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, P.S. Chhura, Distt. Gariyaband, Chhattisgarh.

... Respondent(s)

For Applicant/s : Shri C.R. Sahu, Advocate.
For Non-Applicant/State : Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.11.2026

Heard.

1) This is the first bail application filed under 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.134 of 2026 registered at Police Station Chhura, District Gariyaband, Chhattisgarh for the offence punishable under Sections 296, 115(2), 351(3), 121(1), 132, 191(2), 191(3) & 109 of BNS.

2) As per the case of the prosecution, on 30.7.2026, the applicants, along with other co-accused persons, obstructed the police officials from discharging their duties and assaulted them with wooden clubs. In the said incident, four police personnel sustained injuries. According to the MLC reports, Yaduraj Thakur and Gyandas sustained simple injuries, whereas Rajesh Ghujiya and Ikbeer Nishad sustained injuries on vital parts of their bodies, i.e., the chest and head. On the basis of the said complaint, the aforesaid offence was registered against the applicants.

3) Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case. He further submits that the charge-sheet has been filed; that the applicants have been in jail since 31.7.2026; that applicant No. 1 – Sumitra Bai is a woman; that the injuries sustained by the injured persons are simple in nature; and that there is no opinion of the Medical Officer regarding the nature of the injuries. Therefore, he prays for grant of regular bail to the applicants.

4) On the other hand, learned counsel appearing for the State/non-applicants would oppose the bail application and submit that the injured persons, namely, Rajesh Ghujiya and Ikbeer Nishad, sustained injuries on vital parts of their bodies, i.e., the chest and head. However, there is no opinion regarding the nature of the injuries in the entire charge-sheet. She would further submit that the applicants, along with the other co-accused persons, obstructed public servants from discharging their duties and assaulted them on vital parts of their bodies with wooden clubs. Therefore, the applicants are not entitled to be released on bail.

5) I have heard learned counsel appearing for the parties and perused the

case diary.

6) Having considered the fact that applicant No. 1 - Sumitra Bai is a woman; that the applicants have no criminal antecedents; that the charge-sheet has been filed; that they have been in jail since 31.7.2026; and that the conclusion of the trial may take some time, this Court is of the view that the applicants are entitled to be released on bail in this case.

7) Accordingly, the bail application filed by applicants is allowed and it is directed that in the event of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety each to the satisfaction of the concerned Trial Court, they shall be released on bail, on 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 them from disclosing such fact to the Court,
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> (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
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> (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,
>
> (iv) they shall not involve themselves in any offence of similar nature in future.

The observations made in the course of this order are only for considering the case of the applicants on the application for grant of regular bail. The concerned trial Court shall not be influenced or bound by the observations made in the course of this order.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi