CGHC010406222026 2026:CGHC:46809

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9784 of 2026

Bihari Lal Sahu S/o Bauda Ram Sahu Aged About 35 Years R/o Village Jarve, Police Station Palari, Distt- Balodabazar- Bhatapara (C.G.)

... Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Palari, Distt- Balodabazar- Bhatapara (C.G.)

... Respondent(s)

For Applicant	:	Mr. Ashish Pandey and Mr. Praveen Sharma, Advocate
For Non-Applicant	:	Mr. Keshav Gupta, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04.11.2026

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 applicant, who has been arrested in connection with Crime No.428 of 2025 registered at Police Station: Palari, District: Balodabazar-Bhatapara Chhattisgarh for the offence punishable

under Sections 103 (1), 296 and 351 (2) of BNS.

2. The prosecution case, in brief, is that on 22.10.2025, between 08:30 PM and 09:00 PM, the applicant, along with the other co-accused persons, allegedly abused and assaulted Kailash Verma and dragged him to the Gaura-Chowra of the village, where he and Prakash Sahu were tied up and beaten with sticks, fists and kicks. It is further alleged that when the complainant and his father attempted to intervene, they were also assaulted. As a result of the said incident, Kailash Verma sustained injuries and subsequently succumbed to the same during the course of treatment. On the basis of the aforesaid allegations, the police registered Crime No. 428/2025 for the offences punishable under Sections 296, 351(2), 127(2), 109(1), 103(1) and 3(5) of the Bharatiya Nyaya Sanhita (BNS) against the present applicant and other co-accused persons, leading to the arrest of the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and has no involvement whatsoever in the commission of the murder of Kailash Verma. He further submits that the charge-sheet has already been filed, the applicant has no criminal antecedents, and no incriminating article has been seized from his possession. He also submits that the injured witnesses, who have been examined before the Court below, have not named the present applicant. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel appearing for the State/non-

applicant opposes the bail application and submits that the injured witness, Prakash Sahu, in his statement recorded before the Court under Section 180 of the BNSS, has specifically named the present applicant. He contends that there is a direct allegation against the applicant that he, along with the co-accused persons, committed the murder of Kailash Verma and inflicted fatal injuries upon Prakash Sahu. He further submits that other witnesses, namely, Gend Ram Sahu, Smt. Kalyani Sahu and Purushottam Lal Verma, have also specifically named the present applicant and attributed specific roles to him. Therefore, he submits that the applicant is not entitled to the grant of bail.

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

6. Upon consideration of the submissions advanced by learned counsel for the parties, it appears that the injured witness, Prakash Sahu, has specifically named the present applicant in his statement recorded before the Court under Section 180 of the BNSS. Further, other witnesses, namely, Gend Ram Sahu, Smt. Kalyani Sahu and Purushottam Lal Verma, have also specifically named the applicant and attributed specific roles to him. Thus, prima facie, there are specific allegations against the applicant regarding his involvement in the commission of the alleged offence. Although the applicant is stated to have no criminal antecedents, considering the nature and gravity of the offence, the specific allegations levelled against him, and the statements of

the injured witness and other witnesses implicating him in the crime, this Court is of the view that no case for grant of regular bail is made out at this stage.

7. Accordingly, the bail application is rejected.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Saurabh