CGHC010408502026 2026:CGHC:45559

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1731 of 2026

1 - Gaurav Sharma S/o Shri Deepak Sharma Aged About 31 Years R/o Brahman Para, Ghumka Tahsil Ghumka, District - Rajnandgaon (C.G.)

2 - Pintu Nirmalkar @ Tejkamal Nirmalkar S/o Manoj Kumar Nirmalkar Aged About 26 Years R/o Thakurdev Chowk, Ghumka Tahsil Ghumka, District Rajnandgaon (C.G.) **... Applicants**

VAIBHAV SINGH
Digitally signed by VAIBHAV SINGH
Date: 2026.10.29 12:40:18 +0530

versus

State Of C.G. Through Station House Officer, Ghumka Police Station, District Rajnandgaon (C.G.) **...Respondent**

For Applicants	:	Mr. T.K. Jha, Senior Advocate with Mr. Parth Kumar Jha, Advocate.
For Respondent-State	:	Mr. Aman Tamrakar, Panel Lawyer.

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

28/10/2026

1. Applicants have preferred this second application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail, apprehending their arrest in connection with Crime No. 115/2026, registered at Police Station Ghumka, District Rajnandgaon (C.G.), for the offences punishable under Sections 115(2), 121(2), 132, 296, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The earlier anticipatory bail application of the applicants were dismissed as withdrawn, with liberty to file afresh, by this Court vide order dated 07.10.2026 in MCRCA No. 1653 of 2026.

3. The prosecution case, in brief, is that on 18.09.2026, at about 8:30–9:00 PM, the complainant, Harishankar Sahu, was discharging his duties at the Electricity Office, Ghumka, District Rajnandgaon (C.G.). Due to bad weather, the electricity supply in the area was disrupted, and while the complainant was attempting to rectify the fault, the applicants allegedly abused and assaulted him with fists over the disruption of the electricity supply and also threatened him with death. On the basis of the written complaint lodged by the complainant, an FIR was registered against the applicants at Police Station Ghumka.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present crime. He further submits that the applicants, along with other persons, had went on spot, where the complainant misbehaved with them, and the alleged incident occurred as a result of such misbehaviour. He further submits that applicant No. 1 has one criminal antecedent, whereas applicant No. 2 has no criminal antecedents.

5. Learned State counsel opposes the submissions made by learned counsel for the applicants and submits that there are specific allegations against the applicants that they abused and assaulted the complainant, who is a government employee. He further submits that applicant No. 1 has one criminal antecedent, whereas applicant No. 2 has no criminal antecedents.

6. I have heard learned counsel for the respective parties.

7. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, without commenting anything on merits, I am inclined to allow this anticipatory bail application.

8. Accordingly, application is allowed and it is directed that in the event of arrest of applicants in connection with the crime in question (115/2026), they shall be released on anticipatory bail by the Officer arresting them on their executing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned arresting Officer. Applicants shall also abide by the following conditions:

(i) that the applicants shall make herself available for interrogation before the Investigation Officer as and when required;
(ii) that the applicants 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/her from disclosing such facts to the Court or to any police officer;
(iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial;
(iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)
JUDGE

vaibhav