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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1762 of 2026

1 - Deepak @ Bunty Chauhan S/o. Chatram Chauhan Aged About 31 Years Resident- H. No. 937, W. No. 18, Check Post Ekta Nagar, Balco, Thana-Balco Nagar, Tahsil And District Korba

2 - Shubham Chauhan S/o Chatram Aged About 26 Years Resident- H. No. 937, W. No. 18, Check Post Ekta Nagar, Balco, Thana-Balco Nagar, Tahsil And District Korba

... Applicants

versus

State Of Chhattisgarh Through- Thana- Civil Line Rampur, Korba District-Korba (C.G.0

... **Respondent**

For Applicants	:	Mr. Sanjay Yadav, Advocate
For Respondent-State	:	Mr. Himanshu Yadu, Panel lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26.10.2026

1. Applicants have preferred this second bail application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as they apprehends their arrest in connection with Crime No. 419/2026 registered at Police Station- Civil Line Rampur Korba(C.G.)

for the offence punishable under Section 115(2), 296, 351(3), 109(1), 192(2), 140(2) and 3(5) of BNS, 2023. First bail application of the present applicants was dismissed as withdrawn with liberty to file better application vide order dated 06.10.2026 in MCRCA No. 1643 of 2026.

2. Case of prosecution, in brief, is that on 11.05.2026 complainant Ramesh Ekka has lodged a written report against the applicants and other co-accused persons stating that while purchasing the wine at a wine shop accused Tulshiram Chauhan and complainant got into a heated argument. Thereafter accused Tulshiram Chauhan called the present applicants and took the complainant towards the Railway Line and assaulted him. Based upon the above incident, crime was registered against the applicants.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in the crime. They have not committed any offence as alleged. He further submits that according to the case of prosecution, allegation against the applicant no. 1 is that he has assaulted the complainant by means of hand and fist only. He also submits that the quarrel took place on the liquor shop while purchasing the liquor and there was no pre-plan of assaulting the complainant. The incident happened suddenly only because of the heated argument that took place on the liquor shop. Hence both the applicants be granted the benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicants and would submit that the co-accused Tulshiram Chauhan assaulted the complainant by means of bottle, applicant no. 2

assaulted the complainant by means of stone on his head and applicant no. 1 assaulted by means of hand and fist.

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

6. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties and looking to the fact that the allegation against the applicant no. 2 is that he has assaulted the complainant by means of stone due to which complainant suffered grievous head injury, I do not find the application of applicant no. 2 fit to be allowed, accordingly it is **dismissed.** So far as the applicant no. 1 is concerned, the only allegation against him is that he has assaulted the complainant by means of hand and fist, therefore, looking to the allegation that applicant no. 1 has assaulted the complainant by hands and fist, without commenting anything on merits, I am inclined to allow anticipatory bail application of applicant no. 1.

7. Accordingly, application of applicant no. 2 stands dismissed and application of applicant no. 1 is **allowed** and it is directed that in the event of arrest of applicant no. 1 in connection with the crime in question, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

> (i)that the applicant no. 1 shall make himself available for interrogation before the Investigation Officer as and when required;
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> (ii)that the applicant no. 1 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 applicant no. 1 shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv)that the applicant no. 1 shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

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

Certified copy as per rules.

SD/-

(Parth Prateem Sahu)

JUDGE

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