CGHC010411022026 2026:CGHC:45457

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10126 of 2026

1 - Rakesh Verma S/o Radheshyam Verma Aged About 23 Years R/o Village - Tedhi, Police Station - Thankhamhariya, District - Bemetara (C.G.)

KUNAL DEWANGAN

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2 - Narottam Verma S/o Radheshyam Verma Aged About 28 Years R/o Village - Tedhi, Police Station - Thankhamhariya, District - Bemetara (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Thankhamhariya, District - Bemetara (C.G.)

... Non-Applicant(s)

For Applicants	**:**	Mr. Punit Ruparel, Advocate.
For Non-Applicant/State	**:**	Mr. Arvind Dubey, Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

28/10/2026

1. The applicants have preferred this Third Bail Application under Section 483 of the BNSS, 2023, for grant of regular bail, who have been arrested in connection with Crime No. 13/2026, registered at Police Station Thankhamhariya, District Bemetara (C.G.), for the offences punishable under Sections 296, 351(3), 118(1), 118(2)

and 3(5) of the BNS.

2. Earlier, the first and second bail applications of the applicants were rejected on merits by a Co-ordinate Bench of this Court vide orders dated 01.04.2026 and 03.07.2026 passed in MCRC Nos. 2872/2026 and 5669/2026, respectively. Hence, this third bail application.

3. The prosecution story, in brief, is that on 18.01.2026, complainant Omkar Verma lodged an FIR alleging that on 17.01.2026, a dispute arose between the parties when a cow belonging to his uncle entered the agricultural field of the applicants' father, which was subsequently pacified. However, on 18.01.2026, at about 5:00 p.m., when the complainant was returning home, the applicants intercepted him near the badi of Kanhaiya Verma and started abusing him. It is alleged that applicant No. 2 Narottam Verma caught hold of the complainant's hands, whereas applicant No. 1 Rakesh Verma assaulted him with a screwdriver, causing multiple injuries to his hand, back, chest and waist. Based upon the said allegations, the aforesaid offence was registered against the applicants.

4. Learned counsel for the applicants would submit that the applicants are innocent and have been falsely implicated in the present case. He would submit that though their first and second bail applications were rejected on merits, subsequent thereto, two material prosecution witnesses, namely PW-1 Omkar Verma, the complainant/injured and PW-2 Satarni Verma, have been examined

before the learned trial Court and both have been declared hostile by the prosecution, as they did not support its case. He would further submit that a counter FIR bearing Crime No. 14/2026 has also been registered against the complainant's party in respect of the same incident, wherein both parties have levelled allegations of assault against each other. It is further submitted that the injuries sustained by the complainant are not grievous or dangerous to life. The applicants are in jail since 30.01.2026, charge-sheet has already been filed and out of 15 prosecution witnesses, only two have been examined so far. Therefore, he prays for grant of bail to the applicants.

5. On the other hand, learned State counsel would vehemently oppose the prayer for grant of bail and submit that the first and second bail applications of the applicants have already been rejected on merits by a Co-ordinate Bench of this Court after considering the allegations, counter-case, plea of private defence and medical evidence. He would further submit that the applicants allegedly assaulted the complainant with a screwdriver, causing four stab wounds on vital parts of his body, including serious internal injuries. Merely because PW-1 and PW-2 have subsequently been declared hostile does not automatically discredit the entire prosecution case, particularly when medical evidence is available on record. Therefore, no sufficient ground or substantial change in circumstances is made out for grant of bail and he prays for rejection of the present bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. Having considered the facts and circumstances of the case, nature and gravity of the offences alleged against the applicants, particularly the fact that their first and second bail applications have already been rejected on merits, the specific allegations of assault upon the complainant with a screwdriver resulting in multiple stab injuries and further considering that the plea of private defence and counter-case had already been considered in the earlier orders, this Court is of the view that although PW-1 and PW-2 have subsequently been declared hostile, the evidentiary value of their testimony is a matter for trial and the said circumstance, in view of the medical evidence available on record, does not furnish sufficient ground for taking a different view. Accordingly, without further commenting upon the merits of the case, this Court is not inclined to grant bail to the applicants.

8. Accordingly, this Third bail application of the applicants, filed under Section 483 of BNSS, involved in Crime No. 13/2026, registered at Police Station Thankhamhariya, District Bemetara (C.G.), for the offences punishable under Sections 296, 351(3), 118(1), 118(2) and 3(5) of the BNS., is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal