CGHC010417062026 2026:CGHC:46562

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1843 of 2026

Vipin Bihari Son Of Gajpati Sahu Aged About 67 Years Resident Of Village Nanakpali, Police Station Saraipali, District Mahasamund (C.G.)

--- **Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Balauda, District Mahasamund (C.G.)

--- **Respondent**

(Cause title is taken from CIS system)

For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Afroz Khan, P.L.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

03/11/2026

1. This is the first bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 85 of 2025 registered at Police Station Balouda, District – Mahasamund (C.G.) under Sections 115 (2), 190, 191 (2), 296, 304 (2), 324 (4), 331 (6), 351 (3) of B.N.S.

2. Prosecution story in brief is that, on 10.12.2025, at about 12:30 2 a.m. (midnight), the present applicant, along with other co-accused

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

persons, allegedly entered the house of the complainant and abused the complainant and his family members in filthy language. It is further alleged that the accused persons assaulted the complainant and his family members with rods, sticks and a knife, causing injuries to them. It is also alleged that during the incident, the accused persons damaged the complainant's television and bus and thereafter looted cash and a mobile phone belonging to the complainant. On the basis of the said allegations, the First Information Report was lodged against the applicant and other co-accused persons.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case. Applicant has not committed any offence as alleged. He submits that present crime is registered as a counter blast against applicant and other co-accused persons, as earlier crime is registered by one of the party to this crime against the complainant party herein in Police Station Saraipali bearing Crime No.1121 of 2025. Applicant is a senior citizen aged about 67 years. He also submits that one Ayushman Bhoi @ Ayush Bhoi has been enlarged on regular bail by order dated 19.08.2026 and another co-accused Tejkumar Bhoi has been enlarged on bail vide order dated 19.08.2026 in M.Cr.C. No. 7031 of 2026. He submits that no overt act has been alleged against applicant, but for his presence. The allegation of assault is against another co-accused, who has been enlarged on regular bail. Hence, applicant may be extended benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant. He submits that complainant/injured in his report has clearly

stated name of applicant, who has entered into the house in the midnight along with other co-accused persons and other co-accused persons have been assaulted the complainant by means of knife and other articles, in which complainant suffered as many as seven injuries including three stab injuries.

5. I have heard learned counsel for parties and perused the documents placed on record.

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, manner in which the offence is alleged to have been committed that the applicant along with other co-accused have entered into the house of the injured/complainant in the mid night and thereafter assaulted him, I am not inclined to allow the application for grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Parth Prateem Sahu)
Judge

Balram