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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10465 of 2026

Saiyyed Wahid S/o Late Hamid Khan Aged About 34 Years (Wrongly Mention As Syed Wahid), R/o Ward No. 16, Kabir Ward Mungeli, Police Station And Distt. Mungeli Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Simga Distt. Balodabazar Bhathapara, Chhattisgarh

... Non-applicant(s)

For Applicant	:	Mr. Shalvik Tiwari, Advocate
For Non-applicant	:	Mr. Atanu Ghosh, Dy.G.A. for the State

(Hon'ble Shri Justice Ravindra Kumar Agrawal, J.)

Order on Board

03/11/2026

1. Heard.

2. Present is a second bail application of the applicant who is claiming regular bail in Crime No.184/2024 registered at Police Station - Simga,

District - BalodaBazar-Bhatapara (C.G.) for the offence under Sections 302, 307, 427, 294, 506, 323, 147, 149, 452, 458, 459 and 460 of IPC.

3. The applicant has been arrested on 10.01.2026 in the said offence and claiming regular bail. The first bail application of the applicant has been rejected by this Court on 15.05.2026 passed in MCRC No. 3924 of 2026.

4. The prosecution's case, in brief, is that complainant Bharti Patre lodged a report at Police Station - Simga alleging that Nandkumar Patre had developed acquaintance with one Sukriti Kurre, who was residing with him at Village Chanderi despite objections from her matrimonial family. It is alleged that on the night of 02.06.2024, while the family members were sleeping on the terrace of their house, a group of persons comprising Dilip Kurre, Monty @ Ravi Mallah, Gabbar @ Ramesh Mallah, Dinesh Bandhe, Tilak Bandhe, Lakshmi Bandhe and several others unlawfully entered the premises by climbing the boundary wall and reached the terrace. According to the prosecution, the accused persons, acting in furtherance of their common object, assaulted Nandkumar Patre, Anita Patre and Govardhan Patre with sticks, wooden batons and other weapons, causing severe injuries, particularly on the head. It is further alleged that Govardhan Patre was assaulted and thrown from the terrace, while the remaining family members, out of fear, confined themselves inside a room. The accused persons allegedly damaged household articles and doors while searching for them. After the assailants fled, Nandkumar Patre was found lying in a pool of blood and was declared dead at Government Hospital, Simga, whereas Anita Patre and Govardhan Patre sustained

serious injuries and were referred to Raipur for treatment. On the basis of the said report, the concerned police registered the offence and started an investigation. Initially, 8 accused persons were arrested, and charge-sheet was filed against them. Thereafter, the other accused persons have been arrested, and the supplementary charge-sheets have been filed after their respective arrests. The present applicant, Saiyyad Wahid (as per the applicant, his name is wrongly mentioned as Syed Wahid in the order sheet of the trial Court), has been arrested on 10.01.2026, and a supplementary charge sheet has also been filed against him.

5. Learned counsel appearing for the applicant would submit that after rejection of the first bail application of the applicant on merits, the applicant approached before Hon'ble Supreme Court by filing SLP (Crl.) No.12110/2026 which has been dismissed vide order dated 16.09.2026 on the ground that the applicant has not disclosed the details of his past antecedents and in the light of the judgment passed by Hon'ble Supreme Court in *Munnesh vs. State of Uttar Pradesh (2025 SCC OnLine SC 1319)*. He would further submit that after rejection of his first bail application on 15.05.2026, one more witness has been examined on 24.06.2026 and he too have not supported the prosecution's case with respect to the present applicant. In view of the aforesaid change of circumstances, the applicant has filed his second bail application. He would further submit that the applicant has been arrested after a considerable lapse of more than one and half year and there is no substantive material available in the charge-sheet against him indicating his specific role in the alleged offence. His name has

been surfaced in the memorandum statement of other co-accused persons and there is no active participation of the applicant in the subject offence. He would further submit that the applicant has disclosed his past criminal antecedents as he was having four criminal antecedents and in all of them, he has been acquitted. The applicant is in jail since 10.01.2026, final adjudication of the case will take its own time, therefore, he may be released on bail.

6. On the other hand, learned counsel appearing for the State opposes the submissions made by learned counsel for the applicant and would submit that the first bail application of the applicant has been rejected on merits vide order dated 15.05.2026. Thereafter, he approached before the Hon'ble Supreme Court where also his SLP has been rejected on the ground that he has not disclosed his past criminal antecedent and also in view of the law laid down by the Hon'ble Supreme Court in Munnesh case (supra). Therefore, there is no change in circumstances and his second bail application is liable to be rejected at the motion stage itself.

7. I have heard learned counsel for the parties and perused the material annexed with the bail application.

8. Considering the submissions made by learned counsel for the parties, considering the nature of allegation against the present applicant and that the first bail application of the applicant has been rejected on merits by this Court vide order dated 15.05.2026 passed in MCRC No.3924 of 2026, against which the SLP (Crl.) No. 12110/2026 has also been dismissed by the Hon'ble Supreme Court vide order dated 16.09.2026, and merely explaining the past criminal antecedents and

examining one more witness thereafter would not amounts to change in circumstances.

9. Accordingly, the second bail application of the applicant **Saiyyed Wahid** is **dismissed** at the motion stage itself.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sumit