CGHC010428072026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10375 of 2026

Prabhat Thakur S/o Late Pramod Thakur Aged About 34 Years R/o Near Shiv Sakti Mandir P.S. Sarkanda District Bilaspur (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through - S.H.O., Sakri District Bilaspur (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Nikhil Kumar Pandey, Advocate.
For Non-Applicant/State	:	Ms. Ankita Shukla, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

02/11/2026

1. This is the second bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, who has been arrested in connection with Crime No. 359/2026 registered at Police Station Sakri, District Bilaspur (C.G.), for the offences punishable under Sections 140(3), 308(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The earlier, the first bail application of the applicant was rejected by this Court on merits in MCRC No. 7504 of 2026 vide order dated 28.09.2026. Hence, the present second bail application.

3. The prosecution case, in brief, is that the complainant Sudhir Joshi lodged a written complaint alleging that accused Satish Mishra, along with other co-accused persons, by impersonating themselves as police officials, called the complainant's son Mayank Joshi and his friends, confined and abducted them, threatened them with death and attempted to extort money by intimidation. It is further alleged that on 23.02.2026, Satish Mishra and his associates took Piyush Dhruv and Pranav Mishra in a Scorpio vehicle bearing the word "Police" to an unknown place, while Mayank Joshi and Ujjwal Rana were confined and threatened and were subsequently taken in an Alto car and dropped at Nehru Chowk. On the basis of the complaint, the aforesaid offence was registered against the accused persons, including the present applicant.

4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the complainant, Sakshi Sudhir Joshi, has turned hostile and has not supported the case of the prosecution in her statement recorded before the trial Court. He would also submit that the alleged victim, Mayank Joshi, has turned hostile and has neither identified the present applicant nor deposed anything against him in support of the prosecution story. He would further submit that the bail applications of co-accused Satish Mishra in MCRC No. 4402 of 2026, Ashish Sharma in MCRC No. 7051 of 2026 and Vinay Sahu in MCRC No. 7555 of 2026 have been allowed. He would contend that the case of the present applicant is similar to that of the aforesaid co-accused persons and the applicant is in jail since 28.04.2026, has only one criminal antecedent, as disclosed in paragraph 4-A of the bail

application and the trial is likely to take considerable time to conclude. Therefore, he prays that the applicant be enlarged on regular bail.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the first bail application of the present applicant has already been rejected by this Court on merits and no fresh ground or substantial change in circumstances has been brought forward in the present second bail application warranting reconsideration of the prayer for bail. She would further submit that the applicant has one criminal antecedent registered in the year 2026, which is still pending before the competent Court. Therefore, the present bail application deserves to be rejected.

6. I have heard learned counsel for the parties and perused the case diary.

7. Having considered the facts and circumstances of the case, nature and gravity of the offence alleged against the applicant, the fact that the first bail application of the applicant was rejected by this Court on merits in MCRC No. 7504 of 2026 vide order dated 28.09.2026 and further considering that the applicant has one criminal antecedent registered in the year 2026, which is still pending, this Court is of the view that no substantial change in circumstances has been brought to the notice of this Court warranting reconsideration of the prayer for grant of bail. While considering the first bail application, this Court had already considered the overall facts and circumstances of the case, including the nature of allegations and the material available in the case diary. Merely because certain prosecution witnesses, including the complainant and the alleged victim, have not supported the

prosecution case during their examination before the trial Court, the same, by itself, would not constitute a sufficient ground for grant of bail in the present second bail application. The credibility and reliability of the statements of the prosecution witnesses, as well as the effect of their testimony, are matters to be appreciated by the trial Court at the appropriate stage. This Court, at this stage, would refrain from conducting a mini-trial or making any observation on the merits of the evidence. Further, the grant of bail to the co-accused persons, namely Satish Mishra, Ashish Sharma and Vinay Sahu, does not, by itself, entitle the present applicant to claim parity, particularly when the first bail application of the present applicant was considered and rejected on merits. In view of the aforesaid, this Court is not inclined to enlarge the applicant on regular bail.

8. Accordingly, the second bail application filed by the applicant, is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal