CGHC010436482026 2026:CGHC:46880

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10552 of 2026

1 - Shubham Mahanand S/o Bidur Mahamand Aged About 23 Years R/o Atal Awad Block No. 16, House No. 12, P.S. Kabir Nagar, District : Raipur, Chhattisgarh

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... Appicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Kabir Nagar, District : Raipur, Chhattisgarh **... Non-applicant**

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-applicant	:	Ms. Ritika Verma, PL

Hon’ble Shri Justice Rakesh Mohan Pandey

Order On Board

05.11.2026

1) This is the Second bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 61/2026 registered at Police Station Kabir Nagar, District- Raipur (C.G.) for the offence punishable under Sections 109, 3(5) of BNS and Sections 25, 27 of the Arms Act. Earlier first bail application of the applicant bearing MCRC No.6587 of 2026 was rejected on merits vide order dated

23.07.2026.

2) The prosecution case, in brief, is that on 04.03.2026, at about 1:30 P.M., during Holi celebrations at Shiv Shakti Colony, Sondongri, an altercation took place over the application of colours, during which the complainant, Romit @ Rohit Yadu, was allegedly assaulted by the accused persons. It is alleged that the present applicant, Shubham Mahanand, assaulted the complainant with a button-operated knife, causing a grievous injury to his abdomen, and also inflicted a knife injury on Nitesh Devangan when he intervened. During investigation, the knife was recovered at the instance of the applicant. The medical reports indicate that the injuries could have been caused by the seized weapon and were potentially fatal in nature. Thereafter, the applicant was arrested in connection with said incident. Hence, this bail application.

3) Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case on account of previous enmity with the injured persons. He would further submit that the first bail application of the applicant was rejected on merits in MCRC No. 6587 of 2026 vide order dated 23.07.2026. He would contend that the applicant is in jail since 11.03.2026, the trial is likely to take some time for its conclusion and the injuries sustained by the injured persons were simple in nature. He would also submit that co-accused Sonu Sahu and Hemchand Banjare @ Bholu have already been enlarged on bail in MCRC No. 7107 of 2026 vide order dated 05.08.2026 and, therefore, the applicant is entitled to bail on the ground of parity. He, therefore, prays for grant of bail to the applicant.

4) On the other hand, learned State counsel would oppose the bail application and submit that the first bail application of the applicant was rejected on merits and there is no substantial change in circumstances warranting reconsideration of the prayer for bail. He would further submit that the present applicant is specifically alleged to have inflicted the knife blow, whereas wooden clubs were seized at the instance of co-accused Sonu Sahu and Hemchand Banjare @ Bholu, who have already been enlarged on bail. He, therefore, prays for rejection of the bail application.

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

6) Having considered the submissions made by learned counsel for the parties and on perusal of the material available on record, particularly the fact that during Holi celebrations, the present applicant allegedly assaulted the complainant with a button-operated knife, causing a grievous injury to his abdomen, and also inflicted a knife injury on Nitesh Devangan when he intervened. The knife allegedly used in the commission of the offence was recovered at the instance of the present applicant. The medical and query reports indicate that the injuries sustained by the victims could have been caused by the seized weapon and were potentially fatal in nature. So far as the ground of parity is concerned, the role attributed to the present applicant is distinguishable from that of co-accused Sonu Sahu and Hemchand Banjare @ Bholu, as the present applicant is specifically alleged to have assaulted the injured persons with a knife, whereas wooden clubs were seized at the instance of the aforesaid co-accused. Therefore, the

applicant cannot claim parity merely on the ground that the aforesaid co-accused have been enlarged on bail. Further, the first bail application of the applicant was rejected on merits in MCRC No. 6587 of 2026 vide order dated 23.07.2026, and no substantial change in circumstances has been brought to the notice of this Court warranting reconsideration of the prayer for bail. The contentions regarding previous enmity, the nature of injuries and the period of custody have also been considered; however, having regard to the specific role attributed to the applicant, recovery of the knife at his instance and the nature of the injuries sustained by the victims, this Court is not inclined to enlarge the applicant on bail. Accordingly, the bail application is **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha