



2025:CGHC:9992

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1451 of 2025

1 - Heeralal Jogi S/o Shivprasad Joshi Aged About 41 Years R/o Chhidauli, P.S. Patewa, District Mahasamund, Chhattisgarh.

--- Applicant

versus

1 - State Of Chhattisgarh Through P.S.- City Kotwali Balodabazar, District : Balodabazar-Bhathapara, Chhattisgarh

--- Respondent

MCRC No. 1519 of 2025

1 - Kunjlal Banjare S/o Raruhadas Banjare Aged About 66 Years R/o Vill Girhola, P.S. Nandini Nagar- Ahirwara, Dist.- Durg (C.G.)

--- Applicant

Versus

1 - State Of Chhattisgarh Through P.S.- City Kotwali Balodabazar, District- Balodabazar-Bhathapara, (C.G.)

--- Respondent

MCRC No. 1531 of 2025

1 - Sanjay Kumar S/o Khorbarha Aged About 37 Years R/o Village- Girhola, P.S.- Nandni, Distt.- Durg C.G.

2 - Rajendra Kumar Tandan S/o Ishwardas Tandan Aged About 33 Years R/o Village- Girhola, P.S. Nandni, Distt.- Durg (C.G.)

--- Applicants

Versus

1 - State Of Chhattisgarh Through The Station House Officer, P.S. City Kotwali Distt. Balodabazar-Bhatapara (C.G.)

--- Respondent

MCRC No. 1532 of 2025

1 - Aman Tandan S/o Manu Tandan Aged About 23 Years R/o Arjuni, Ps-Akaltara, Distt.- Janjgir-Champa (C.G.)

--- Applicant

Versus

1 - State Of Chhattisgarh Throug P.S. - City Kotwali Balodabazar, District-Balodabazar- Bhathapara (C.G.)

--- Respondent

MCRC No. 1534 of 2025

1 - Akash Kumar Dhritlahre S/o Mohan Dhritlahre Aged About 22 Years R/o Chhuiha, Ps- City Kotwali Balodabazar, Distt. - Balodabazar- Bhatapara (C.G.)

2 - Ajay Kumar Dahriya S/o Premdas Aged About 24 Years (Fathers Name And Age Not Mentioned In Impugned Order), R/o Chhuiha, Ps- City Kotwali Balodabazar, Distt. - Balodabazar- Bhatapara (C.G.)

--- Applicants

Versus

1 - State Of Chhattisgarh Through P.S. - City Kotwali Balodabazar, District-Balodabazar-Bhatapara, (C.G.)

--- Respondent

MCRC No. 1621 of 2025

1 - Kishor Navrange S/o Tijram Navrange Aged About 26 Years R/o Gindola, P.S.- Lawan, District - Balodabazar-Bhatapara (C.G.)

--- Applicant

Versus

1 - State Of Chhattisgarh Through - P.S.- City Kotwali, Balodabazar, District - Balodabazar-Bhathapara, (C.G.)

--- Respondent

For Applicant(s)	: Mr. Purnchand, Advocate
For State	: Mr. Sanjeev Pandey, Dy. Advocate General

Hon'ble Shri Justice Narendra Kumar Vyas

Order on Board

28.02.2025

1. Since all the applicants have been arrested in the same incident and also charged for the similar offence, all the bail applications heard analogously and are being disposed of by this common order. The details of MCRC number, applicant's name, Crime No., offences for which they are charge-sheeted and date of arrest, are given in the tabulation form as under:-

No.	Case No. (MCRC)	Bail Nos.	Applicant Name	Crime No.	Sections	Date of Arrest
1	1451/2025	First	Heeralal Jogi	383/2024	147, 148, 149, 186, 332, 353, 440, 435, 436, 427, 307, 120B IPC and 3 & 4 of PDPP Act.	11.06.24
2	1519/2025	First	Kunjlal Banjare	379/2024	147, 148, 149, 186, 332, 353, 307, 435, 436, 120B, 294, 506, 427, 395, 397 IPC and 3 & 4 of PDPP Act.	11.06.24
3	1531/2025	First	Sanjay Kumar & Another	379/2024	147, 148, 149, 294, 307, 506, 335, 353, 332, 186, 435, 436, 120B IPC and 3 & 4 of PDPP Act and 2 of PINH Act	11.06.24
4	1532/2025	First	Aman Tandan	389/2024	436, 147, 149, 186, 278, 440 IPC and 3	13.06.24

					& 4 of PDPP Act and 25, 25(A) of the Indian Telegraph Act	
5	1534/2025	First	Akash Kumar Dhritlahre & Another	377/2024	147, 148, 149, 186, 353, 332, 307, 435, 427, 120B, IPC and 3 & 4 of PDPP Act.	29.07.24
6	1621/2025	First	Kishor Navrange	384/2024	147, 148, 149, 186, 332, 353, 307, 435, 427, 440, 120B, IPC and 3 & 4 of PDPP Act and 25, 27 Arms Act	25.06.24

2. The applicants have preferred these bail applications under Section 483 of B.N.S.S., 2023 for grant of regular bail as they have been arrested on various dates for committing the offences as aforesaid registered at Police Station, City Kotwali Balodabazar, District - Balodabazar (C.G.).
3. The prosecution story, in brief, is that the complainant- Deputy Superintendent of Police has lodged a complaint on 13.06.2024 before Police Station- City Kotwali, Baloda-Bazar alleging that some persons belonging to Satnami Samaj have committed incident of assault, vandalism and arson on 10.06.2024 on the pretext that on 15/16th May, 2024 at Village- Mahakoni, Police Station- Amargupha, Giroudpuri, a monument of Satnami Samaj was damaged and loss to the public properties, therefore, Crime No. 105/2024 for commission of offence

under Section 295, 34 of IPC was registered on 17.05.2024. The police after investigation have submitted charge-sheet against one Sultu Kumar Yadav & two others before the learned Judicial Magistrate First Class, Kasdol, District- Baloda-Bazar. Thereafter the President of Satnami Samaj Chhattisgarh and other office bearers including office bearers of political parties have submitted an application on 30.05.2024 wherein permission was sought to conduct the conference of the community, to conduct CBI enquiry was demanded. It was also decided that by conducting congregate between 3-4 p.m. a memo has to be handed over to the Collector- Balodabazar, wherein 10 persons were authorized to meet the Collector which was allowed with certain conditions. Thereafter, a meeting was also organized in the office of Joint Collector, Balodabazar on 07.06.2024 wherein it was also agreed by the Satanami Samaj that they will conduct the congregate in a peaceful manner without disturbing the peace and tranquility of the area. Accordingly, the permission was granted on the conditions of maintaining peace and tranquility. Thereafter, the congregate was started on 10.06.2024 at 11 a.m. where the administration deployed police persons to maintain the law and order. All of a sudden, at about 2.30 – 6.00 p.m. the congregate started stone pelting at office of Superintendent of Police, District Panchayat, Tahsil office and caused damage to the property and official records were also damaged. Accordingly, FIR was registered. In the incident, 134 motorcycles, 29 four wheeler vehicles and 1 fire brigade, 17 government vehicles, 12 government four wheeler vehicles were damaged causing loss of total Rs. 2.82 crores.

4. This Court has directed the State to file an affidavit explaining how much loss to the public exchequer has been caused by the action of the accused persons and also to produce the video of procession to demonstrate how many persons assembled on the spot. In pursuance of direction issued by this Court, the State has filed affidavit wherein it has been specifically mentioned that the applicants are involved in criminal conspiracy and the applicants along with agitators damaged the loss of public at large which is estimated Rs. 10,21,00,000/- (Rs. Ten Crores Twenty One Lakhs).
5. Learned counsel for the applicants would submit that the applicants have been falsely implicated only because they are members of Satnami caste and the applicants have been arrested only on the ground of suspicion whereas the FIR was lodged against unknown offenders. Memorandum statement of applicants were recorded and seizure of stones and a stick have been shown in the challan against the present applicants. However, no seizure has been actually made from the present applicants and entire matter is cooked up. No documents or evidence has been placed in final report to show that the present applicants were actively participated in committing the alleged crime. He would further submit that there is no direct and substantial evidence against the present applicants in the entire charge-sheet. The incident took place on 10.06.2024 and the applicants were arrested on the dates mentioned above. He would further submit that the TIP has been done in violation of the norms required under the law for identification parade as such, involvement of the applicants for the aforesaid offence is illegal. He would further submit that on the basis of materials so collected by the prosecution, the offence under Section

307 of IPC cannot be made out. He would further submit that except this Section, all the sections are triable by Magistrate. The medical document itself suggests that the injuries inflicted were not grievous as per the medical documents annexed with charge sheet. He would further submit that the only incriminating documents available against the present applicant are: (i) Seizure memo, (ii). Test Identification Parade (hereinafter referred to as "TIP") and he would submit that both the above documents are apparently faulty. He would further submit that the nature and gravity of offence alone cannot be the sole ground for rejection of bail.

6. He would further submit that there is no chance of absconding, influencing the witnesses. Lastly he would submit that the investigation has been completed, charge-sheet has already been filed and applicants are in jail for more than 7-8 months. It has also been contended that the co-accused namely Narayan Miri whose bail application was rejected by this Court has preferred SLP bearing Special Leave to Appeal (Criminal) No. 14169/2024 before Hon'ble the Supreme Court and Hon'ble the Supreme Court vide order dated 24.01.2025 has granted him. The operative part of the order is as under:

"Considering the period of incarceration of the petitioner and the entire facts and circumstances of this case, we are of the opinion that a case of bail is made out for the petitioner and therefore, the prayer for bail is allowed.

Accordingly, the petitioner is directed to be released on bail forthwith on the usual terms and conditions to be decided by the concerned court."

7. Thus, he would submit that the applicants are also entitled for bail on the ground of parity, long incarceration period, completion of

investigation against them and no custodial remand is required as the charge-sheet has already been submitted.

8. On the other hand learned State counsel vehemently objected the submission made by learned counsel for the applicants and would submit that after registration of the FIR sufficient material has been collected by the prosecution and the statements of the witnesses were recorded. He would further submit that the applicants have been identified by the complainant and the mobile record of the applicants also suggests their presence at the place of occurrence, Thus, he would submit that there was involvement of the applicants in commission of offence, therefore, he would pray for rejection of the bail petitions.
9. Learned State counsel would further submit that the present case relates to the large scale violence and fire incident which took place in the Balodabazar- Bhatapara District and it is a rare occurrence of such a large scale of violence in the State of Chhattisgarh which has caused damage of Government and public property to an estimated amount of Rs. 4,03,950/-. He would further submit that all the FIRs have been registered due to incident committed by the same mob at different places at Baloda Bazar District which is not a big District causing estimated loss to Rs.10,21,00,000/- (Rs. Ten Crores Twenty One Lakhs).
10. He would further submit that the accused persons have acted in furtherance of the criminal conspiracy and have committed the offence of rioting, used criminal force, assaulted public servants to prohibit them from discharging their duties, by obstructing the public way they

have caused wrongful confinement, caused damages to the property, set fire buildings and vehicles, and attacked the Police Officers.

11. He would further submit that the serious allegations have been leveled regarding the involvement of the present applicants in the violence and agitation which ultimately resulted in destruction of Public Property and public building at a large scale; wherein at Collectorate building more than 257 vehicles have been burnt, including the vehicles owned by Government Officers, 3 fire extinguisher vehicles and many vehicles belonging to general public have also been burnt during the incident. It would be pertinent to mention here that the vehicles of one of the judicial officer of the Family Court has also been burnt for which a different F.I.R. has been registered. Looking to the nature and gravity of the offence which resulted in destroying the peace & rule of law of the entire State as well as the role of the applicants in provoking the riots and the role in causing damage to the public property, all the bail applications may kindly be rejected.
12. I have learned counsel for the parties and perused the diary and considering the order passed by the Hon'ble Supreme Court in case of Narayan Miri (Supra).
13. Considering the fact that the applicants are in jail for last 7-8 months, charge-sheet has been filed and also considering the fact that conclusion of the trial may take some time, therefore, no fruitful purpose would be served in continue detention of the applicants, as such, without further commenting anything on merits of the case, I am of the view that these are fit cases to grant bail to the applicants.
14. Accordingly, all the bail applications filed under Section 483 of Bhartiya

Nagrik Suraksha Sanhita, 2023 are allowed and all the applicants are directed to be released on bail forthwith. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs. 25,000/- each with one surety each in the like amount to the satisfaction of the concerned trial court. They are directed to appear before the trial court on each and every date given to them by the said trial court, till disposal of the trial.

Certified copy as per rules.

**Sd/-
(Narendra Kumar Vyas)
Judge**

Bhumika