



CGHC010390502026



2026:CGHC:44435

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9443 of 2026**

1 - Brijesh Ojha @ Maanu S/o Brijmohan Ojha Aged About 26 Years
Residence Of Village Infront Of Vihar Garden Yadunandan Nagar, P.S.
Sirgitti, Dist Bilaspur, Chhattisgarh, Presently Residing At Sahupara
Fafadih P.S. Ganj, Raipur, Dist - Raipur, Chhattisgarh.

... Applicant**versus**

1 - State Of Chhattisgarh Through Police Station Tikrapara Distt.
Raipur, Chhattisgarh.

... Respondent

For Applicant	: Mr. Mateen Siddiqui, Senior Advocate with Mr. Waquar Naiyer, Adv. and Mr. Danish A. Siddiqui, Adv.
For Respondent/State	: Ms. Deepa Singh, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****14/10/2026**

1. The accused/applicant has moved this **Second** bail application under Section 483 of BNSS, 2023 for releasing him on regular bail during trial in connection with Crime No. 48/2025 registered at Police Station – Tikrapara, District – Raipur (C.G.) for the offence punishable under Section 103 of BNS.
2. The first bail application of the applicant was dismissed on merit on 01.04.2026 in MCRC No. 2608 of 2026.

3. As per the prosecution's case, on 14.01.2025, the applicant took Tamanna Tandi (now deceased) in a dezire car and committed her murder by strangulation. Based on this, offence has been registered against the applicant and he was arrested on 28.01.2025.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He also submits that the first bail application (MCRC No. 2608/2026) was rejected on 01.04.2026, with a direction to the trial court to expedite the trial within a period of five months; however, the trial has not yet been completed. The applicant is in custody since 28.01.2025. There is no direct evidence against the applicant in this case; the prosecution relies on the 'last seen' theory, and the evidence supporting this theory is electronic in nature, which has not been proven. There is no likelihood of his case being decided in the near future; therefore, the present applicant may be released on bail. He referred to MCRC No. 9081/2026, where the accused was granted bail on 26.09.2026 by this Court, submitting that in that matter the accused was granted bail due to the delay in trial; therefore, the applicant may also be granted bail as there is delay in trial.
5. On the other hand, learned counsel for the State opposes the bail application and submits that the case has been established based on the 'last seen' theory; the case is of death by strangulation, and the car used in the commission of the crime has been seized from the applicant. The first bail of the applicant has already been rejected on merit, as there is no

change in circumstances, this bail application should also be rejected.

6. I have heard learned counsel for the parties and perused the case diary.
7. On a previous date of hearing, a progress report of the trial was sought from the trial Court; this has been received along with a request for an extension of time for disposal of the case. According to the report, the case had been scheduled for final arguments on 06.07.2026. The current trial Court received the case via transfer, and since the FSL report was missing, it had to be requisitioned; consequently, additional time is required to dispose of the case.
8. Considering the entire facts and circumstances of the case, particularly the fact that the case is at the final stage and it is inappropriate to comment on the merits; furthermore, no change in circumstances has been found that would warrant granting bail to the appellant. Accordingly, the bail application filed under Section 483 of BNSS, 2023, is **rejected**.
9. However, the concerned trial Court is directed to expedite the trial and to ensure that the trial is concluded as expeditiously as possible preferably within a period of 30 days from the receipt of a copy of this order.
10. Office is directed to sent a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(**Sanjay Kumar Jaiswal**)
Judge