CGHC010297802026 2026:CGHC:45474

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7967 of 2026

1 - Sagar Sahu S/o Lakhan Sahu Aged About 21 Years R/o Village Khairbana, Police Station - Khairagarh, District Rajnandgaon (Khairagarh-Chhuikhadan-Gandai) Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Station Khairagarh, District Khairagarh-Chhuikhadan-Gandai Chhattisgarh

... Respondent(s)

For Applicant	**:**	Shri Shivendu Pandya, Advocate.
For Non-applicant/State	**:**	Shri Arvind Dubey, G.A.

HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY

Order on Board

28/10/2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.102/2026 registered at Police Station Khairagarh, District Khairagarh-Chhuikhadan-Gandai (C.G.), for the offence punishable under Sections 103(1), 109, 115(2) & 3(5) of BNS.

2. As per the case of the prosecution, on 4.3.2026, the present applicant, Raju Sahu, and a juvenile were consuming liquor and using filthy language. When the deceased, Vrindavan, objected to their conduct, co-accused Raju Sahu inflicted a knife blow on his abdomen, as a result of which his small intestine protruded from his abdomen. During the course of treatment, the deceased succumbed to his injuries.

3. Learned counsel for the applicant would submit that, in the dying declaration of the deceased, the present applicant has not been named. He would further submit that the fatal knife blow was inflicted by co-accused Raju Sahu and that no overt act has been attributed to the present applicant. He would, therefore, pray for grant of regular bail to the applicant. He would also submit that the charge-sheet has already been filed, the applicant has been in jail since 8.3.2026, and there has been no progress in the trial.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant and the other two accused persons, in furtherance of their common intention, committed the murder of the deceased, Vrindavan. He would submit that, although the fatal knife blow was inflicted by Raju Sahu, the present applicant and another accused person were accompanying him at the time of the incident. He would further submit that sufficient evidence is available against the present applicant and that the bail application deserves to be rejected.

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

6. Having considered the facts and circumstances of the case, it appears that the present applicant, the juvenile, and Raju Sahu were

consuming liquor when, following a dispute, Raju Sahu inflicted a fatal knife blow on the abdomen of the deceased. At this stage, it cannot be presumed that the present applicant was not involved in the commission of the offence or that there was no common intention to commit the offence.

7. Having considered the nature of the injuries, the manner in which the offence was committed, the fact that an FIR naming the accused persons was lodged, and the allegation that the present applicant and the other co-accused persons subsequently assaulted Mukesh Verma and Lekhram, as well as the existence of eyewitness accounts, I am not inclined to allow the bail application filed by the present applicant.

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

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Nimmi