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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8684 of 2026

- Gajendra Singh Sirsam S/o Dilawar Singh Sirsam, Aged About 20 Years R/o Budhwaripara, Dongargarh, Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through- The Station House Officer, Police Of Police Station Dongargarh, District Rajnandgaon Chhhattisgarh.

... Non-applicant

For Applicant	:	Mr. Raghvendra Pradhan, Advocate
For Non-applicant	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

05.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.129/2026, registered by Police Station Dongargarh, District : Rajnandgaon (C.G.) for the offence punishable under Sections 296, 109, 351(2) and 3(5) of BNS, 2023.

2) The case of the prosecution, in brief, is that on 13.03.2026, the complainant lodged a complaint to the effect that the applicant, along with other co-accused persons, assaulted his sons, namely Lalit and Bhoj Manikpuri, using a knife on vital parts of the body, including the abdomen. On the basis of the complaint, the police registered an offence against the accused persons and recovered the knife used in the commission of the offence from the exclusive possession of the applicant.

3) Learned counsel for the applicant submits that applicant has falsely been implicated in the present case as he was not involved in commissioning of afore-stated offence. He further submits 02 co-accused persons, namely, Ajay Mandavi and Anil Thapa have been enlarged on bail in MCRC/7883/2026 and MCRC/7000/2026 respectively. He also submits that applicant has 01 live criminal antecedent, he is in jail since 18.03.2026 and the trial is likely to take some time for its conclusion, therefore, he prays for grant of bail.

4) On the other hand, learned counsel for the State opposes the bail application and submits that two co-accused persons were enlarged on bail by the coordinate Bench in MCRC/7883/2026 and MCRC/7000/2026 and in those orders, the coordinate Bench categorically held that the role of the applicants therein was confined to assaulting the injured persons with hands and fists, whereas the grievous knife injuries were attributed to the present

applicant.

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

6) According to the FIR, the applicant, along with other co-accused persons, assaulted Lalit and Bhoj Manikpuri using a knife on vital parts of their bodies, including the abdomen, and the said knife was recovered from the exclusive possession of the present applicant. It is contended by the learned State counsel that one of the injured persons underwent surgery at AIIMS, Raipur, and remained hospitalized for a considerable period; therefore, it is abundantly clear that the injuries sustained by the injured persons were serious in nature.

7) In this bail application, applicant has taken the plea of parity stating that other named accused persons have been enlarged on bail by the co-ordinate Bench in MCRC/7883/2026 and MCRC/7000/2026. However, it is worthy to mention that while hearing those matters, co-ordinate Bench took note of the fact that the knife used in commissioning of afore-stated offence was recovered from the present applicant and it was held that role of the applicants therein was confined to assaulting the injured persons with hands and fists, whereas the grievous knife injuries were attributed to the present applicant. Therefore, in view of the aforesaid discussion, the ground of parity is not available to the present applicant.

8) Considering the direct allegations levelled against the applicant, coupled with the fact that the incriminating article, i.e., a knife, was seized from his exclusive possession, this Court is not inclined to extend the benefit of bail to the applicant at this stage

9) Accordingly, the instant bail application is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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