NIRMALA
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CGHC010365232026 2026:CGHC:46233

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8845 of 2026

1 - Prakash Dhurve S/o Shatruhan Dhurve, Aged About 25 Years R/o Ward No. - 09, Than Khamhariya, District - Bemetara (C.G.)

2 - Khemlal Nishad @ Ishu S/o Vakil Nishad, Aged About 18 Years R/o Ward No. 09, Than Khamhariya, District - Bemetara (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station - Sahaspur Lohara, District - Kabirdham (C.G.)

... Respondent(s)

For Applicants	**:**	Mr. Chandrikaditya Pandey, Advocate
For Non-Applicant	**:**	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02/11/2026

1. This is the second bail application of the applicants. The first bail application of the applicants was dismissed for want of prosecution on 19.6.2026 in M.Cr.C. No.4827 of 2026. The applicant has preferred this Second Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been

arrested in connection with Crime No.7/2026 registered at Police Station Sahaspur, Lohara, District Kabirdham (C.G.) for the offence under Sections 103(1), 238(b) & 61(2) of BNS, 2023.

2. The case of the prosecution, in brief, is that on 27.1.2026, an FIR was registered against unknown persons after a merg inquiry. As per the information received, an unidentified dead body was recovered on 27.1.2026. During the course of the investigation, the dead body was identified by Kanhaiya Mishra as that of Kishan Verma. The investigating agency further found that the present applicants, along with three juveniles and another co-accused, assaulted the deceased by means of a knife and a club, and thereafter, hung his body in a well using a rope tied to a stone. In their statements recorded under Section 180 of the BNSS, Vinay Vishwakarma and Yashwant Sahu stated that, on 5.1.2026, the present applicants and the other co-accused persons were taking the deceased towards the place of occurrence and were also assaulting him. The police recovered a knife allegedly used in the commission of the offence at the instance of a juvenile co-accused. A blood-stained wooden club and nylon wire were recovered at the instance of the present applicants. Thereafter, the aforesaid offence was registered against the applicants.

3. Learned counsel for the applicants would submit that the knife injuries were inflicted by a juvenile and that there is no article was seized against the present applicants. It is further contended that the charge-sheet has already been filed, the applicants have been in jail since 29.1.2026, and there has been no progress in the trial. Therefore, learned counsel prays that the bail application may be allowed.

4. On the other hand, learned State counsel opposes the bail applications and submits that the present applicants, in the company of three juveniles and another accused person, took the deceased to a secluded place, where they committed his murder. In furtherance of their common intention, they allegedly assaulted the deceased with a knife and a wooden club and thereafter hanged his body in a well using a nylon rope. He further submits that the knife allegedly used in the commission of the offence was recovered at the instance of a co-accused, whereas the blood-stained wooden club and nylon rope were recovered at the instance of the present applicants. He would further submit that sufficient evidence is available in the case diary against the present applicants. He would also submit that applicant Prakash Dhurve has seven criminal antecedents. Therefore, the bail application deserves to be dismissed.

5. Heard learned counsel appearing for the parties and perused the case diary.

6. Having considered the statements of Yashwant Sahu and Vinay Vishwakarma, who categorically stated that, on 5.1.2026, the deceased was in the company of the present applicants and the other co-accused persons and was being assaulted by them; the fact that the dead body of the deceased was recovered on 27.1.2026; the postmortem report, which indicates that knife injuries were found on the body of the deceased; the seizure of a wooden club and nylon rope at the instance of the present applicants; and the fact that applicant Prakash Dhurve has seven criminal antecedents, in my opinion, no case is made out for grant of regular bail to the applicants.

7. Accordingly, the second bail application filed by the applicants is hereby **rejected**.

Sd/-
Rakesh Mohan Pandey
JUDGE

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