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**NAFR**

# HIGH COURT OF CHHATTISGARH AT BILASPUR

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Date: 2026.10.15 11:10:10 +0530

**MCRC No. 6179 of 2026**

Ajay @ Kallu Koshle S/o Late Dukhiram Koshle Aged About 23 Years R/o Imlibhatha, Jogi Avas, Bandhvapara, Sarkanda, Police Station- Sarkanda, Distt. Bilaspur (C.G.) --- **Applicant**

**versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Sarkanda, Distt. Bilaspur (C.G.) --- **Non-Applicant**

**MCRC No. 9256 of 2026**

Rammohan Banjare @ Bhuru S/o Late Mukesh Banjare, Aged About 22 Years R/o Imlibhatha, Jogi Avas, Bandhvapara, Sarkanda, Police Station - Sarkanda, Distt. Bilaspur (C.G.) ---**Applicant**

**Versus**

State Of Chhattisgarh Through, Station House Officer, Police Station - Sarkanda, Distt. Bilaspur (C.G.) --- **Non-Applicant**

**MCRC No. 7809 of 2026**

Gautam @ Gopal Sarthi S/o Prakash Sarth Aged About 25 Years R/o Room No. C- 35 Imlibhatha Bandwapara, Sarkanda, Police Station Sarkanda, Tahsil And District- Bilaspur (C.G.) ---**Applicant**

**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Sarkanda, District- Bilaspur (C.G.) --- **Non-Applicant**

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| For Applicants in MCRC No.6179/2026 & 9256/2026. | : Smt. M. Asha, Advocate. |
| For Applicant in MCRC No.7809/2026 | : Shri Chandrikadiya Pandey, Advocate. |

For Non-Applicant/State : Shri Jitendra Shrivastava, Government Advocate.

**(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)**

**Order on Board**

**14/10/2026**

**1.** Since all the three bail applications arise out of same Crime No.1179/2023 registered at Police Station Sarkanda, District Bilaspur, they are heard, clubbed together and disposed of by this common order.

**2.** M.CR.C.Nos.6179/2026 & 9256/2026 are **First Bail Applications** preferred by applicants – Ajay @ Kallu Koshle and Rammohan Banjare respectively whereas M.CR.C. No.7809/2026 preferred by the applicant – Gautam @ Gopal Sarthi is the **Second Bail Application.** First bail application of applicant – Gautam @ Gopal Sarthi has been rejected vide order dated 10.11.2025 passed in MCRC No.8301/2025 by the coordinate Bench of this Court.

**3.** The applicants have preferred these Bail Applications under Section 483 of the BNSS, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.1179/2023, registered at Police Station Sarkanda, Distt. Bilaspur (C.G.) for the offence punishable under Sections 147, 148, 149, 302 of the IPC and Sections 25 & 27 of the Arms Act.

**4.** As per the case of the prosecution, the applicants along with 3 other co-accused persons assaulted Rajesh Ravat and Deva Netam by means of hands, fists and iron knife. Both the persons – Rajesh

Rawat and Deva Netam sustained grievous injuries and succumbed to the said injuries during course of treatment. F.I.R. was lodged on 23.08.2023 at about 11:00 pm by the complainant – Pushpendra Ravat on 24.08.2023. During course of investigation weapon of offence was seized and all the accused-persons were arrested.

**5.** Learned counsel appearing for the applicants would submit that the applicants have not committed any offence; they have falsely been implicated in the case; there is no direct evidence on record connecting them with the commission of alleged crime. It is also contended that there is no eye-witness to the incident; charge-sheet has already been filed and they are in jail since 24.08.2023. It is further contended that out of 26 witnesses, 13 witnesses have been examined and they have not supported the prosecution story and that, conclusion of trial may take some considerable time. Shri Chandrikaditya Pandey, learned counsel for the applicant – Gautam @ Gopal Sarthi was dismissed on merits on the ground of delay in trial, therefore, the second bail application has been filed. They would, therefore, pray that the applicants may be enlarged on bail.

**6.** On the other hand, learned State counsel would oppose the bail applications. He would submit that the present applicants in association with three other co-accused persons, assaulted Rajesh Ravat by means of hands, fists and sharp edged weapon. He would contend that one Deva Netam intervened, who was also assaulted by these accused persons. He would contend that Ibrahim, Sunil Netam and Pushpendra Ravat were informed by the local residents that deceased persons were assaulted brutally by the accused persons

including present applicants. He would submit that knife, used in commission of offence, was seized at the instance of Raju Yadav @ Badka Yadav and the said accused person, in his memorandum statement, has subsequently stated that the present applicants were in his company. He would further submit that the applicants along with other accused persons, in furtherance of their common object, committed murder of Rajesh Ravat and Deva Netam. He would submit that the applicant – Ajay @ Kallu Koshle has 3 live criminal antecedents whereas applicant – Gautam @ Gopal Sarthi has 6 criminal antecedents, therefore, these bail applications deserve to be rejected.

**7.** I have heard the learned counsel for the parties and perused the case diary.

**8.** With regard to delay in trial, out of 26 witnesses, 13 witnesses have already been examined. The credibility of evidence adduced by prosecution witnesses cannot be assessed because mini-trial at the stage of entertaining a bail application is not permissible. The Supreme Court time and again clarified that Courts are precluded from undertaking a detailed examination of evidence that touch upon the merits of the case and the Court's role at the bail stage is confined to verifying the existence of prima facie case.

**9.** With regard to evidence against the present applicants, 13 witnesses are yet to be examined; the weapon of offence has been seized at the instance of one of the co-accused person, who in his memorandum statement has categorically named the

other applicants and co-accused persons with regard to their involvement in the crime; first bail application of one of the co-accused persons, namely Gautam @ Gopal Sarthi was dismissed by the co-ordinate Bench in McrC No.8301/2025 vide order dated 10.11.2025; further the applicant – Ajay @ Kallu Koshle has 3 live criminal antecedents whereas applicant – Gautam @ Gopal Sarthi has 6 criminal antecedents.

**10.** Having considered the above facts, I am not inclined to enlarge the applicants on bail. Accordingly, all the three bail applications of the present applicants are liable to be and are hereby **rejected.**

Sd/-
(Rakesh Mohan Pandey)
**JUDGE**

Anjani