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SAGRIKA AGRAWAL Digitally signed by SAGRIKA AGRAWAL Date: 2026.10.13 10:58:51 +0530

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8998 of 2026

1 - Chetan Rajwade S/o Shri Krishna Rajwade, Aged About 28 Years R/o. - Village Anujnagar, Patelpara, Police Outpost Ltori, P. S. Jaynagar, District Surajpur, (C.G.)

2 - Krishna @ Krishnadev Rajwade S/o Late Shriram Rajwade Aged About 62 Years R/o . - Village Anujnagar, Patelpara, Police Outpost Ltori, P. S. Jaynagar, District Surajpur, (C.G.)

... Petitioner(s)

versus

1 - The State Of Chhattisgarh Through The Station House Officer, Jaynagar, District, Surajpur (C.G.)

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	:	Mr. Sakti Raj Sinha, Advocate
For Respondent(s)	:	Mr. R.R. Pithwa, Dy. Govt. Advocate

Hon’ble Shri Justice Ravindra Kumar Agrawal, J.

Order on board

12.10.2026

1. Heard.
2. This is the third bail bail application of the applicant. The first bail application of the application has been dismissed as withdrawn vide order dated 27.10.2025 passed in MCRC No. 7373/2025 with liberty to repeat the same after examining the material witnesses. The second bail application

of the applicant has also been dismissed as withdrawn vide order dated 16.02.2026 passed in MCRC No. 1329/2026 with a direction to the learned trial Court to expedite the trial of the case.

3. The applicants, who have been arrested on 13.06.2025 in connection with Crime No. 155/2025, registered at P.S. Jaynagar, District- Surajpur, for the offence under Section 296, 351(3), 109(2), 103(1) and 3(5) of Bhartiya Nyay Sanhita, are claiming regular bail.

4. The case of prosecution, in brief, is that, on 12.06.2025 at about 10.30 in the night when the deceased Inder Sai gone to the cattle shade to tied their cattle, the accused persons raised dispute and assaulted him by hand and fists and thrown him on the road, by which the deceased received injuries on his head and other part of the body and he went unconcious. During the treatment he died on 13.06.2025. The wife of the deceased lodge a report in which FIR has been registered and after investigation, charge-sheet has been filed.

5. Learned counsel for the applicant would submit that there is no eye witness to the incident and the so called eye witnesses Sanjay and Avan Kumar has not supported the prosecution’s case. Phulmatiya, who is the wife of the deceased, also claimed to be the eye witness, but she reached on the spot after the incident. It was the day when Mela was organized in the village and number of persons were roaming. The deceased was in drunken state of liquor and he had quarrel with other persons. When he came to his house, he fell down on the ground by which he received injuries on his body. He would further submit that the applicants are close relatives of the deceased and only to grab their property, the wife of the deceased lodged report against him. He would further submit that the applicants are in jail since 13.06.2025, out of the 25 witnesses, only 15

witnesses have been examined till date, final adjudication of the case will take its own time, therefore, the applicants may be released on bail.

6. On the other hand, learned State counsel opposes the submissions made by learned counsel for the applicants and would submit that there are three eye witnesses to the incident including the wife of the deceased who duly supported the prosecution's case. The trial of the case is in advance stage and out of 25 cited witnesses, 15 witnesses have already been examined. The earlier two bail applications have been dismissed as withdrawn by the applicants and looking to the gravity of offence and the manner in which the offence is being committed and also looking to the injuries found on the body of the deceased, the applicants are not entitled to be released on bail. Therefore, their bail application may be rejected.
7. I have heard learned counsel for the parties and perused the case diary as well as document annexed with the bail application.
8. Considering the submissions made by learned counsel for the parties, considering the nature of allegation, material collected during the investigation, injuries found on the body of the deceased and further that the manner in which the deceased was being assaulted, the statement of the eye witnesses Sanjay, Avan Kumar and Phulmatiya Bai, recorded during investigation and also considering that out of total 25 cited witnesses, 15 witnesses have already been examined before the learned trial Court and the trial of the case is an advance stage and also that two earlier bail application of the applicants has been dismissed as withdrawn, I am not inclined to release the applicants on bail.
9. Accordingly, the third bail application filed by the applicants is hereby **dismissed**

10. It is expected that the learned trial Court shall proceed expeditiously the trial of the case as has been directed by this Court vide order dated 16.02.2026 passed in MCRC No. 1329/2026.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sagrika