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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9336 of 2026

1 - Pankaj Kumar Paik S/o Jaysingh Paik, Aged About 22 Years, R/o Birbira, P.S. Tumgaon, District Mahasamund Chhattisgarh.

... Applicant

versus

1 - State Of Chhattisgarh Through Police Station Tumgaon, District Mahasamund Chhattisgarh.

... Respondent(s)

For Applicant	**:**	Mr. Rajesh Jain, Adv.
For Respondent/State	**:**	Ms. Deepa Singh, P.L. with Mr. Kalpesh Ruparel, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

05/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bhartiya Nagrik Suraksha Sanhita Act, 2023 for grant of regular bail as he is arrested in connection with Crime No.207/2024, registered at Police Station – Tumgaon, District-Mahasamund (C.G.) for offence punishable under Sections 103(1), 61(2), 238, 3(5) of BNS, 2023.

2. As per the prosecution’s case, it is alleged that on 17.12.2024, the applicant, along with two other co-accused persons, Mohit Patel and Manoj Nishad, hatched a conspiracy to commit murder of the complainant’s uncle Hiradhar (मौसा of co-accused

Mohit Patel), and tried to hide the evidence by throwing the dead body in the jungle. Based on this, offence has been registered against the present applicant and other co-accused persons.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that there is no eyewitness to the alleged incident and no direct evidence against the applicant. It is further submitted that the case of the applicant is distinguishable from that of the main accused, namely Manoj Nishad, whose bail application was rejected by this Court vide order dated 09.02.2026 passed in MCRC No. 855/2026. No article belonging to the deceased has been recovered from the possession of the applicant, nor is there any material indicating his active participation in the alleged incident. Learned counsel further submits that the applicant is in jail since 19.12.2024. Despite the direction issued by this Court for expeditious conclusion of the trial in the case of the co-accused, out of a total of 22 prosecution witnesses, only 01 witness has been examined till date. The trial is, therefore, likely to take considerable time to conclude. Hence, considering all these facts, the applicants may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application and submits that the applicant, along with the other co-accused persons, hatched a conspiracy to commit the murder of the deceased and was also present at the spot at the time of the incident. As per the FSL report, blood-stained clothes and one mobile phone were seized from the possession of the applicant. It is further submitted that the bail application of co-accused Manoj Nishad has already been rejected by this Court vide order dated 09.02.2026 passed in MCRC No. 855/2026. Out of a total of 22 prosecution witnesses, only 01 witness has been examined till date. Therefore, at this stage, considering the gravity and seriousness of the alleged offence, the applicant may not be enlarged on bail.

5. I have heard learned Counsel appearing for the parties and perused the material available on record.

6. Taking into consideration the entire facts and circumstances of the case, particularly the fact that there is no direct evidence against the applicant, the case of the applicant is distinguishable from that of co-accused Manoj Nishad, the applicant is in jail since 19.12.2024, and out of a total of 22 prosecution witnesses, only 01 witness has been examined till date, and the trial is likely to take some time to conclude, this Court finds it appropriate to release the applicant on bail.

7. Accordingly, the bail application is **allowed** and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed in that behalf.

8. The Registry is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

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