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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9925 of 2026

- Madan Lal Painkra S/o Late Janak Sai Painkra Aged About 30 Years R/o Village - Jamjhor, Chowki Kotba, P.S. - Bagbahar, District - Jashpurnagar Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through Police Station - Lailunga, District Raigarh Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Dheerendra Prasad Mishra, Advocate
For Respondent-State	:	Ms. Sunita Manikpuri, Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26/10/2026

1. Applicant has filed this **second 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. 102/2022 registered at Police Station – Lailunga, District Raigarh (C.G.) for offence punishable under Sections 302, 201, 120B and 34 IPC.

2. Case of prosecution in brief is that accused, Sunita Painkra, and the deceased, Satyanarayan Painkra, were in a love relationship. The deceased repeatedly called the accused, causing her distress. The accused and her husband, Raghunandan Painkra, conspired with accused Madanlal Painkra to murder Satyanarayan. In furtherance of their common intention, accused

Sunita Painkra went to meet the deceased near the Bhangamuda Mahua Tree. Upon the deceased's arrival, co-accused Raghunandan Sai Painkra killed him by hitting him three or four times on the head with a stick. After this, the three accused took the deceased to the Pokdega Cashew Garden forest and set him on fire. After investigation, a charge sheet was filed against the accused for the aforementioned offence.

3. Learned counsel for applicant submits that applicant has been made accused only on the basis of memorandum statement of co-accused Sunita Painkra. He contended that there is no seizure of any incriminating articles from possession of applicant. He also contended that during morgue enquiry body of deceased Satyanarayan Painkra has been seized in burnt condition. Applicant is in jail since 09.05.2022 and thereby has completed more than four years. He submits that till 09.09.2026 only 10 witnesses out of 25 enlisted witnesses have been examined, trial may take some time and that applicant is having no criminal antecedent against him, hence, he may be enlarged on bail.

4. On the other hand, learned State counsel opposes the submission of learned counsel for applicant and would submit that in the memorandum statement, applicant has stated about the place of incidence where the dead body was found and the witnesses to the memorandum statement in examination in chief has supported the case of prosecution. She however does not dispute the submission of learned counsel for applicant that in cross-examination witness to the memorandum statement has turned hostile.

5. Upon putting query, she submitted that according to the material available in the case diary, body of deceased was seized during course of morgue enquiry.

6. I have heard learned counsel for the parties.

7. Taking into consideration, facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, period of detention of applicant since May 2022 and that trial may take some time to conclude, without commenting anything on merits of the case, I am inclined to allow this bail application.

8. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in like sum to the satisfaction of the Court on the conditions that-

(a) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(b) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(c) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(d) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

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

Sd/-

(Parth Prateem Sahu)
JUDGE

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