



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 419 of 2024

1. Jitendra Nirmalkar S/o Santosh Nirmalkar Aged About 24 Years
Rameshwar Nagar, Khamardih, Raipur, District : Raipur,
Chhattisgarh

... Appellant

versus

1. State Of Chhattisgarh Through - P.S. Khamtarai, District : Raipur,
Chhattisgarh

... Respondent

Order Sheet

05.02.2026	Mr. Akash Sahu, learned counsel for the appellant. Mr. Vinod Tekam, learned Government Advocate, appearing for the Respondent/State. Heard on I.A. No. 01/2026, which is an application for suspension of sentence and grant of bail. This is second bail application of the appellant Jitendra Nirmalkar who has been convicted for the offence under Section 307 read with Section 34 of IPC on 3 counts, Section 25(1)(B)(b)

and 27(1) of Arms Act and sentenced for Rigorous Imprisonment for 7 years, 3 years and 5 years respectively.

The first application for suspension of sentence and grant of bail of the appellant Jitendra Nirmalkar has been rejected by this Court on 10.05.2024 on the ground of evidence of victims (PW/2) Vimal Kumar Talmale, (PW/3) Dadu Sahu and (PW/4) Nitesh Talmale and also on the ground that the appellant is having two criminal antecedents.

Learned counsel for the appellant would submit that the appellant has already completed about half of the sentence awarded to him and the appeal is of the year 2024 and final adjudication will take its own time, there are material contradiction in the evidence of eye witnesses and every possibility is that the appellant is being acquitted from the alleged offences, he may be enlarged on bail.

On the other hand, learned counsel appearing for the Respondent/State opposes.

Considering the submissions made by the learned counsel for the parties, categorically considering the fact that the first application for suspension of sentence and grant of bail of the appellant Jitendra Nirmalkar has been dismissed on merits, the appeal is of the year 2024, I am not inclined to allow the repeat application for suspension of sentence and grant of bail.

Manish	Accordingly, I.A. No. 01/2026, is rejected. The appellant may make efforts to get his appeal decided finally. List this case along with CRA No. 1310/2024. Sd/- (Ravindra Kumar Agrawal) Judge
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