



2026:CGHC:9277

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No.1458 of 2026

Mukesh Kumar S/o Ganesh Lal Aged About 41 Years R/o House
No. 303, T. Block, Sagar Lenk View Homes, Ayodhaya Bypass,
Police Station - Ayodhaya, District - Bhopal (M.P.) ... **Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police
Station - Khamardih, District - Raipur (C.G.) ... **Non-applicant**

For Applicant: Shri Shivendu Pandya, Advocate.
For Non-Applicant/State: Shri Sumit Singh, Dy. A.G.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****23.02.2026**

1. This is the 1st bail application filed under Section 483 of the
BNSS for grant of regular bail to the Applicant, who has been

arrested in connection with Crime No.458/2024 registered at Police Station Khamardih, District Raipur for the offence under Sections 103(1), 109, 315 and 317(2) of the BNS.

2. The prosecution case in brief is that on 30.10.2024, the Applicant entered the house of the deceased Ratnesh Banerjee and assaulted him and his wife with metal sculptures, resulting in the death of Ratnesh Banerjee and causing injuries to his wife, therefore, the offence as aforesaid has been registered against the present Applicant. Hence, this Application.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the crime in question for which, he was arrested on 08.11.2024. It is contended that the offence has been registered against the Applicant merely on the basis of suspicion and the memorandum statement allegedly made before the police, which by itself has no substantive evidentiary value except to the limited extent permissible under law. It is further submitted that the case rests purely on circumstantial evidence and there is no direct eye-witness to the alleged incident. It is also submitted that no independent incriminating material has been brought on record to connect the Applicant with the alleged offence under Sections 103(1), 109, 315 and 317(2) of the BNS and the essential ingredients of the said offences are not made out. Learned counsel lastly submits that the charge-sheet has already

been filed, the trial is not likely to conclude in the near future and the Applicant has no criminal antecedents therefore, considering all these aspects, he may be released on bail.

4. On the other hand, learned Counsel for the Non-Applicant/State opposed the bail application and submitted that there is direct and clear evidence available against the Applicant, therefore, he is not entitled to be released on bail.

5. Having heard learned Counsel for the parties and considering the material available on record, this Court finds that the case involves serious allegations of a grave nature and there is other *prima facie* material collected during investigation. Considering the gravity of the offence and overall circumstances of the case, this Court is not inclined to grant bail to the Applicant, at this stage.

6. Accordingly, the application is **rejected**. However, considering the period of incarceration, the concerned trial Court is directed to expedite the proceedings and endeavour to conclude the trial in accordance with law.

Sd/-

(Sanjay Kumar Jaiswal)
Judge