



2026:CGHC:19031

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2659 of 2026**

- 1** - Sukhram @ Madavi Aayta S/o Late Joga, Aged About 35 Years R/o Village Burklaka, p.S. Bheji, Tahsil Konta, District Sukma Chhattisgarh.
- 2** - Sodi Aayta S/o Late Joga Aged About 30 Years R/o Village Tetemadgu Tumulpad, P.S. Konta, District Sukma Chhattisgarh.
- 3** - Madkam Pojja S/o Madkam Joga Aged About 32 Years R/o Village Tetemadgu Tumulpad P.S. Konta, District Sukma Chhattisgarh.
- 4** - Rawa Joga S/o Deva Aged About 35 Years R/o Village Tetemadgu Tumulpad P.S. Konta, District Sukma Chhattisgarh.
- 5** - Vanjam Mada Late Joga Aged About 25 Years R/o Village Tetemadgu Tumulpad P.S. Konta, District Sukma Chhattisgarh. (Details of The Applicant Have Not Mentioned In Annexure A -1.)

... Applicants**versus**

State of Chhattisgarh Through Station House Officer, Police Station Kistaram, District Sukma (C.G.)

... Non-Applicant

For Applicant	:	Mr. Ishwar Jaiswal, Advocate
For Non-Applicant/State	:	Ms. Vaishali Mahilong, Deputy G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****24.04.2026**

1. The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as they have been arrested in connection with Crime No. 07/2023 registered at Police Station-

Kistaram, District Sukma, (C.G.) for the offence punishable under Sections 307 of the Indian Penal Code, 1860 and under Sections 3, 4, 5 of the Explosive Substance Act.

2. The case of the prosecution, in brief, is that on 12.12.2023 (Tuesday) at about 08:30 a.m., the injured, Kunjam Joga, had gone for defecation at a distance of approximately 20 meters from Team Morcha No. 02, near a hillock (Tekri) and a Sahja tree, where unknown Naxalite accused persons had allegedly planted a pressure IED with the intention to kill and cause damage to the security personnel. As soon as the injured stepped on the device with his right foot, the pressure IED exploded, resulting in grievous injuries to both his legs, from heel to knee. He was immediately given प्राथमिक treatment and was thereafter taken with a security party to the CRPF Camp, Dabbamarka, and subsequently airlifted by helicopter to Raipur for proper medical treatment. On the basis of the report, an offence was registered at Police Station Kistaram vide Crime No. 07/2023 under Section 307 of the IPC and Section 3 of the Explosive Substances Act, and the matter was taken up for investigation. During the course of investigation, the applicants/accused persons, namely Sukhram @ Madvi Ayata, Sodi Ayata, Madkam Pojja, Rava Joga and Vanjam Mada, were arrested and remanded to judicial custody, and upon completion of investigation, a charge-sheet has been filed before the trial Court under Section 307 of the IPC and Sections 4 and 5 of the Explosive Substances Act, alleging that on the date of incident they were involved in causing an explosion by means of a pressure IED with

the intention to kill and cause harm to the police party. Hence, this bail application.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, having no nexus whatsoever with the alleged incident. It is contended that the applicants were not present at the spot at the time of occurrence and have neither caused any blast nor committed any of the offences as alleged by the prosecution. It is further submitted that no explosive material has been seized from the possession of the applicants and their implication is based merely on suspicion and memorandum statements, without any cogent or reliable evidence. The allegations levelled against the applicants are not substantiated by any material on record and no prima facie case is made out against them. It is also argued that the investigation conducted by the police is improper and perfunctory in nature. Moreover, as per the status of the trial, out of 15 prosecution witnesses, 10 prosecution witnesses have already been examined and some witnesses have not supported the case of the prosecution, as reflected from their depositions filed collectively as Annexure A-3. It is also submitted that the applicants have one previous criminal antecedent in which they all are acquitted and they are in jail since 06.04.2024, the charge-sheet has already been filed and the trial is likely to take considerable time. Hence, it is prayed that the applicants be released on bail.
4. On the other hand, the learned State counsel opposed the bail application of the present applicants and submitted that the charge-

sheet has been submitted before the competent Court. She also submits that the present case pertains to a grave and serious offence wherein the applicants, in furtherance of their common intention and in association with banned Naxalite elements, deliberately planted a pressure IED with the intention to kill and cause severe harm to the security forces. It is contended that the injured victim, a member of the CRPF, sustained grievous and life-threatening injuries on vital parts of his body, i.e., both legs from heel to knee, due to the powerful explosion, clearly reflecting the brutal nature and severity of the act. The offence is registered under Section 307 of the IPC along with Sections 3, 4 and 5 of the Explosive Substances Act, which are of a heinous nature and directly affect public safety and national security. It is further submitted that during the course of investigation, sufficient incriminating material has been collected against the applicants, establishing their involvement in the crime. Considering the seriousness of allegations, the manner in which the offence has been committed, and the potential threat posed by the applicants to society at large, it is prayed that they do not deserve to be released on bail at this stage.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of allegations, and the submissions advanced by the learned counsel for the parties, this Court finds that the applicants are alleged to have been involved in serious Naxalite activities and

in furtherance thereof had planted a pressure IED with the intention to cause death and grievous harm to the security forces. The injured, being a CRPF personnel, sustained grievous and life-threatening injuries to both legs from heel to knee due to the blast, reflecting the brutal and dangerous nature of the act. The material collected during investigation, as reflected in the charge-sheet, prima facie indicates the involvement of the applicants in the commission of offences punishable under Section 307 of the IPC and Sections 3, 4 and 5 of the Explosive Substances Act. Considering the manner of commission of the offence, its serious impact on public safety, and its nexus with Naxalite activities affecting national security, this Court is of the opinion that it is not a fit case to enlarge the applicants on regular bail.

7. Accordingly, the bail application of applicants – **Sukhram @ Madavi Aayta, Sodi Aayta, Madkam Pojja, Rawa Joga and Vanjam Mada**, involved in Crime No. 07/2023 registered at Police Station- Kistaram, District Sukma, (C.G.) for the offence punishable under Sections 307 of the Indian Penal Code, 1860 and under Sections 3, 4, 5 of the Explosive Substance Act, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

**(Ramesh Sinha)
Chief Justice**