



2026:CGHC:14714



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2879 of 2026

Gajendra Singh S/o Sukhram Singh Aged About 28 Years R/o Village-
Budhapara Kurtha, Police Outpost- Korbi, Police Station- Pasan,
District- Korba (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Officer-In-Charge Police Outpost Korbi
Police Station- Pasan, District Korba (C.G.)

... Respondent(s)

For Applicant : Mr. Devesh G. Kela, Advocate

For Respondent(s) : Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Arvind Kumar Verma

Order on Board

30/03/2026

1. The applicant has preferred this Second Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 03/2025, registered at Police Station- Pasan, Out Post Korbi, District- Korba (CG) for the offence punishable under Section 103(1), 61(2), 109 of BNS, 2023 and Sections 25 and 27 of Arms Act.
2. The first bail application bearing MCRC No. 4529 of 2025 was rejected on merits by this Court vide its order dated 17.06.2025.
3. The prosecution story in brief, is that, the complainant made a



report on 06.01.2025 to the effect that his nephew has been shot on his back by some unknown person, subsequently investigation was made. During the investigation it was revealed that the co-accused Gajendra Singh had political grudge with one Ram Kumar Markam, hence he through co-accused Shiv Prasad @ Mannu contacted co-accused Raj Kumar to murder Ramkumar Markam.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that this is the first bail application and no such application has been filed, rejected or is pending before any other Court. The applicant is in judicial custody since his arrest and the statements of material prosecution witnesses have already been recorded, which do not establish his involvement in the alleged offence. It is further contended that co-accused persons, namely, Ramkumar Sarathi, Virendra Kumar Armo and Balvinder Rajwade, have already been granted bail by trial Court. The applicant is a permanent resident of the stated address and there is no likelihood of his absconding or tampering with the prosecution evidence. It is also submitted that the applicant is the sole breadwinner of his family and has three minor children, therefore, he deserves to be enlarged on bail.
5. Per contra, learned State counsel opposes the application and submits that the offence is of serious nature. It is contended that



the present applicant was actively involved in the commission of the offence and his case is distinguishable from that of the co-accused who have been granted bail. It is further submitted that material witnesses are yet to be examined and there is likelihood of the applicant influencing the witnesses, if released on bail. Hence, the application deserves to be rejected.

6. Heard learned counsel for the parties and perused the case diary.
7. As per the prosecution case, co-accused persons, due to personal enmity, hatched a conspiracy to eliminate one Ramkumar (Up-Sarpanch). In furtherance of the said conspiracy, a firearm was procured and the present applicant was engaged to execute the plan. On 06.01.2025, acting upon the said conspiracy, the applicant fired a gunshot, which instead of hitting the intended target, struck Krishna Pandey, who later succumbed to the injuries during treatment. After completion of investigation, charge-sheet has been filed for the offences punishable under Sections 103(1), 109, 61(2) of the BNS and Sections 25 and 27 of the Arms Act. The record reflects that charges have already been framed and the trial is in progress. Though some of the prosecution witnesses have been examined, material witnesses including the doctor, seizure witnesses and the Investigating Officer are yet to be examined. Considering the nature and gravity of the allegation, particularly the role attributed to the present applicant in firing the gunshot resulting in death of a person, this Court is of the opinion



that the case of the applicant stands on a different footing from that of the co-accused who have been granted bail. The offence alleged is punishable with life imprisonment or even death penalty. At this stage, this Court does not find it appropriate to enlarge the applicant on bail, particularly when the trial is underway and material evidence is yet to be recorded. There also appears to be a possibility of the applicant influencing the prosecution witnesses, if released on bail.

8. Accordingly, the bail application of applicant- **Gajendra Singh** involved in Crime No. 03/2025 under aforesaid sections at Police Station- Pasan, Out Post Korbi, District- Korba, Chhattisgarh, is **rejected**.
9. However, this Court hopes and trusts that the Trial Court shall make earnest endeavour to conclude the trial expeditiously as soon as possible in accordance with law, if there is no legal impediment.
10. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Arvind Kumar Verma)

JUDGE

Madhurima