



2026:CGHC:22670



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NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

**MCRC No. 3452 of 2026**

Pahru Markandey S/o Dayalu Markande Aged About 25 Years R/o Village Kekrajbod, Police Outpost Jalbandha, Distt. K.C.G., Chhattisgarh.

... Applicant(s)

**versus**

State Of Chhattisgarh Through The SHO, Police Station Khairagarh, Distt. Kcg, Chhattisgarh.

... Respondent(s)

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For Applicant(s) : Mr. Siddharth Pandey, Advocate

For Respondent(s) : Mr. Shailendra Sharma, Panel Lawyer

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**Hon'ble Mr. Ramesh Sinha, Chief Justice**

**Order on Board**

**13.05.2026**

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.503/2024 registered at Police Station- Khairagarh, Police Outpost- Jalbandha, District- K.C.G. (C.G.) for the offence punishable under Sections 109(1) read with Section 3(5) of the BNS.



2. The case of the prosecution, in brief, is that as per the prosecution story, on 23.12.2024 at about 2:35 PM, the complainant, Teejan Chandel, lodged a written report at the concerned police station stating that she, along with her daughter Santoshi Chandel and son Jageshwar Chandel, had gone to watch the Mandai program in their village. It is alleged that in the intervening night of 23/24.12.2024 at about 3:00 A.M., during the said program, the applicant, Kuldeep alias Pahru, along with co-accused Devvrat Markande, entered into a quarrel with Jageshwar Chandel, and during the altercation, the applicant assaulted Jageshwar by stabbing him three times in the stomach with a knife. It is further alleged that co-accused Devvrat Markande also assaulted Jageshwar with a stick. As a result of the said assault, Jageshwar sustained grievous injuries on his stomach. The incident was witnessed by the complainant Teejan Chandel, her daughter Santoshi Chandel, and other persons present nearby. On the basis of the said report, an FIR was registered against the applicant and co-accused for the offence punishable under Section 109(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, hence this bail application.
3. Learned counsel for the applicant submits that the present is the second bail application filed before this Court, the first bail application being MCRC No. 5854/2025 having been dismissed on merits vide order dated 25.07.2025. It is submitted that the present application has been filed on account of subsequent



change in circumstances, namely that after completion of investigation, charge-sheet was filed on 21.03.2025 against four accused persons, including the present applicant, and out of 16 cited prosecution witnesses, only four witnesses have been examined till date, all of whom have turned hostile and have not supported the prosecution case. It is further submitted that co-accused persons, namely Dayalu Ram Markandey, Rahul Kurrey and Devvrat Markandey, have already been granted regular bail by this Court in separate cases, and therefore the applicant is entitled to parity. Learned counsel further submits that the applicant is in custody since 25.12.2024, the trial is progressing slowly, and there is no likelihood of its early conclusion, hence he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel opposes the bail application and submits that the first bail application of the applicant was rejected on merits by this Court vide order dated 25.07.2025, taking into consideration the facts that as per the medical report, the injured sustained grievous abdominal injuries caused by a sharp-edged weapon and stick blows, which were found to be dangerous to life. During investigation, statements of the injured Jageshwar Chandel and eyewitnesses Kamlesh Banjare and Harsh Chandel were recorded, wherein they specifically stated that the co-accused Dayalu Markandey had caught hold of the injured, while the present applicant assaulted him with a sharp-edged weapon on his abdomen, causing



grievous injuries. Further, the second bail application has been filed only on the ground that out of 16 witnesses, till date, only 04 witnesses have been examined who have turned hostile, however, the same cannot be a ground for grant of bail to the applicant.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the nature and gravity of the offence, the specific allegation against the applicant of assaulting the injured with a sharp-edged weapon causing grievous injuries which were found to be dangerous to life, and taking into account that the first bail application of the applicant was already rejected on merits by this Court vide order dated 25.07.2025, this Court is not inclined to grant bail. Further, the ground raised by the counsel for the applicant that out of 16 witnesses, only 04 have been examined till date and that too have turned hostile, cannot be a ground for releasing the applicant on bail as the same may result in tempering with the evidence.
7. Accordingly, the second bail application of the applicant- **Pahru Markandey**, involved in Crime No.503/2024 registered at Police Station- Khairagarh, Police Outpost- Jalbandha, District- K.C.G. (C.G.) for the offence punishable under Sections 109(1) read with Section 3(5) of the BNS, is **rejected** at this stage.
8. From perusal of the order-sheets, it transpires that though the case is fixed for appearance of the injured for recording of her



statement, she has not been appearing before the trial Court for the said purpose. In view of the same, the trial Court is directed to proceed with the trial in accordance with law and make all necessary endeavours to ensure the presence of the injured for recording her statement, within a period of four weeks from the date of receipt of a copy of this order, if there is no legal impediment.

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

**Sd/-**

**(Ramesh Sinha)**  
**CHIEF JUSTICE**

**Rahul Dewangan**