



2026:CGHC:39451



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7403 of 2026

Sonsay Prajapti S/o Ramsay Prajapati Aged About 19 Years R/o Devrikhurd, Police Station Pendra, Outpost Kotmi, District Gaurela-Pendra-Marwahi, Chhattisgarh

... Applicant (s)

versus

State Of Chhattisgarh Through Police Station Pendra, District Gaurela-Pendra-Marwahi, Chhattisgarh

... Respondent(s)

For Applicant (s)	:	Mr. Yash Tripathi, Advocate
For Respondent(s)	:	Mr. Sanjeev Pandey, Dy. AG along with Mr. Suresh Tandon, PL

Hon'ble Shri Justice Narendra Kumar Vyas

Order on Board.

09.09.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested on 06.04.2026 in connection with Crime No. 103 of 2026 registered at Police Station- Pendra, District Gaurela-Pendra, Marwahi (CG) for the offence punishable under



Sections 103 (1), 61(2) (a) read with Section 3(5) of of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution, in brief, is that merg intimation No. 0/2026 under Section 194 BNSS was registered at the instance of Head Constable stating that complainant Dhan Singh along with his mother went to Kudri Khar for collecting Mahua. at about 11.00AM, his mother Kaushalya Bai was left alone and went along with his father for collecting Mahua and come back with Lalji Wakar at around 12.00 noon. It is also case of the prosecution that he climbed the wall of backyard and saw that there was blood near the well in the backyard and blood splatters were lying there then he called his mother but no response was found then he peeped into the well and saw that dead body of his mother was floating in the water. It is also alleged that some unknown person committed murder of his mother by hitting her with some objection. On the basis of merg intimation, FIR bearing Crime No. 103/ 2026 was registered against unknown person. During investigation, on suspension the co-accused and applicant were arrested for committing murder of the deceased.
3. Learned counsel for the applicant would submit that applicant has falsely been implicated in the case and the entire story of the prosecution is fabricated and he has not committed any offence. He would further submit that there is nothing on record against the applicant that he was involved in the crime in question. He would further submit that the memorandum statements of other co-accused have not supported the case of the prosecution and the applicant is in jail since 06.04.2026 and



the trial will take some time for its conclusion and would pray for allowing the bail application.

4. On the other hand, learned counsel for the State opposing the aforesaid submission made by learned counsel for the applicant would submit that from the memorandum statements of other co-accused it is clear that the applicant received Rs. 2,000/- for providing his vehicle and the other co-accused have reached the spot of the said vehicle and committed the aforesaid crime, as such there is some material against the applicant. He would submit that the trial is in progress, therefore, at this stage the applicant is not entitled for grant of bail.
5. I have heard learned counsel for both the parties and perused the records with utmost circumspection.
6. Considering entire facts and circumstances of case, nature of offence, and looking to the gravity of offence and the manner in which the offence has been committed, prima-facie, involvement of the applicant is reflected in the crime in question and the fact that out of 21 witnesses, 11 witnesses has already been examined before the trial Court and the trial is in progress, this Court is of the opinion that it is not a fit case where the applicant can be enlarged on bail.
7. Accordingly, the instant bail application is rejected.

Sd/-

(Narendra Kumar Vyas)
Judge