CGHC010286132026 2026:CGHC:38929

NAFR

SAIFAN KHAN Digitally signed by SAIFAN KHAN

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1176 of 2026

Nagendra Rai, S/o Mr. Chandrika Rai, aged about 61 years, R/o Lal Khadan, Police Station, Torwa, Bilaspur District Bilaspur Chhattisgarh.

--- **Applicant**

Versus

State Of Chhattisgarh Through District Magistrate Bilaspur District Bilaspur Chhattisgarh.

--- **Respondent**

[Cause-title taken from Case Information System (CIS)]

For Applicant : Mr. Amrito Das, Senior Advocate assisted by Mr. Yashkarn Singh, Advocate

For Respondent : Mr. Sharad Mishra, Panel Lawyer

WITH

MCRC No. 7032 of 2026

Vishwajeet Anant, S/o Late Balram Anant, aged about 29 years, R/o Village Mohtara P.S. Masturi, District Bilaspur C.G.

---**Applicant**
(In Jail)

Versus

State Of Chhattisgarh Through Station House Officer, P.S. Masturi District Bilaspur C.G.

--- **Respondent**

[Cause-title taken from Case Information System (CIS)]

For Applicant : Mr. Shakti Raj Sinha, Advocate

For Respondents : Mr. Sharad Mishra, Panel Lawyer

Single Bench: Hon'ble Shri Justice Sanjay K. Agrawal

(Order on Board)

02.09.2026

1. Since both the applications are arising out of a common crime number, on the joint request of learned counsel for the parties, both these applications are clubbed together, heard together and being disposed of by this common order.

2. MCRCA-1176-2026 has been preferred by accused/applicant- Nagendra Rai under Section 482 of BNSS, 2023 for grant of anticipatory bail in connection with Crime No.736/2026, registered at Police Station Masturi, District Bilaspur (CG) for offences under Section 109, 111, 61(2), 3(5) of the BNS and also under Section 25 & 27 of the Indian Arms Act, 1959. Whereas, MCRC-7032-2026 has been preferred by accused/applicant- Vishwajeet Anant under Section 483 of BNSS, 2023 for grant of regular bail in connection with same crime and offences mentioned above.

3. Facts of the case, in brief, is that on 28/10/2025 at about 6 PM, complainant Nitesh Singh allegedly informed the Masturi Police Station via phone call that some unknown persons have opened indiscriminate fire outside the office of Tamesh Singh, situated at Masturi, with the intention of killing Tamesh Singh as well as other people present therein.

4. It is also the case of the prosecution that the complainant Nitesh Singh along with his maternal uncle Tamesh Singh and 9-10 other persons were sitting outside the office of Tamesh Singh when two

unknown assailants, standing at a distance of about 10-15 feet, opened indiscriminate fire and two other persons were waiting on motorcycles to facilitate the escape of the assailants after the incident. As a result of the firing, Dhanendra Singh @ Raju Singh sustained gunshot injuries on his left leg and left hand and Chandrakant Singh sustained a gunshot injury on his right palm and both the injured persons were admitted to the Hospital and remained under treatment for three days. Thereafter, upon investigation, during the Test Identification Parade (TIP), Arman @ Balamjeet Anant and Chahat @ Vikramjeet were identified to be assailants by the complainant. Further on the basis of memorandum statements of Arman @ Balamjeet Anant and Chahat @ Vikramjeet, it was alleged that Akbar Khan (A-1) along with Nagendra Rai and Tikeshwar Singh had held a meeting with Vishwajeet Anant and offered him a contract (supari) of Rs. 2,00,000/- (out of which Rs.1,49,000/- paid in the account and Rs.51,000/- was paid in cash) to eliminate Nitesh Singh, Chandrakant Singh, Raju Singh, Tamesh Singh and others. Applicant- Nagendra Rai provided weapon of the offences to other co-accused persons. Furthermore, as per the memorandum statement of Vishwajeet Anant, Akbar Khan (A-1) had met him about six days prior to the incident at Anna Dosa (restaurant) and instructed him to execute the alleged plan and as per the memorandum statement of Arman @ Balamjeet, a meeting was held two days prior to the incident at Devesh Suman @ Nikku’s Dhaba (A-2) during which weapons were distributed among the assailants. Upon completion of investigation, charge-sheet was filed against all the accused persons.

5. Mr. Amrito Das, learned Senior Counsel appearing for applicant-Nagendra Rai in MCRCA-1176-2026 would submit that there is no evidence on record to connect the applicant- Nagendra in the crime in question and just because he is a member of a political party, he has been falsely roped in the present case. The only allegation on the applicant is that he has provided weapon to the co-accused persons, but there is no evidence/material in this regard. Even, there is no evidence on record to show that the applicant has made any deal with co-accused Vishwajeet Anant and merely because he used to talk or having connection with co-accused- Takeshwar Patle, he cannot be implicated in the present case. So far his criminal antecedents are concerned, out of other 08 cases, in 04 cases he has already been acquitted; 01 case is *istighasa* under Section 107/166 of CrPC*;* in 01 case he has not been charge-sheeted and 02 cases are relating to tribal offences. As such, it is prayed that applicant- Nagendra Rai be enlarged on anticipatory bail.

6. Mr. Shakti Raj Sinha, learned counsel appearing for applicant-Vishwajeet Anant in MCRC-7032-2026 would submits that the case of applicant- Vishwajeet Anant is identical to co-accused persons, namely, Akbar Khan, Mohd. Mustkim @ Nafis and Mohd. Matin, who have been enlarged on regular bail by this Court vide order dated 02.07.2026, passed in MCRC-1603-2026, MCRC-2344-2026 & MCRC-1678-2026. He also submits that only two mobile phones of his own and Rs.5,000/-cash have been recovered from the applicant. There is no evidence available on record to show that applicant- Vishwajeet has received or

obtained money from any of the co-accused. Even, there is no call record showing conversation between the present applicant and other co-accused persons, including the payment of Rs.1,00,000/-. So far criminal antecedents are concerned, out of other 06 cases, he has already been acquitted in most of the case and only in 01 case having Crime No.31/2025, registered at Police Station Masturi, District Bilaspur, for offences under Sections 191(2), 296, 351(2), 115(2) of the BNS is pending consideration. The applicant is in custody from 29.10.2025 and investigation has been completed and the charge-sheet has already been filed, comprising about 459 pages and citing as many as 73 prosecution witnesses, and therefore the conclusion of the trial is likely to take considerable time, as such, it is prayed that applicant- Vishwajeet Anant be enlarged on bail.

7. On the other hand, learned State counsel opposes the bail applications and submits that the material collected during the course of investigation prima facie establishes the involvement of the applicants in the alleged offence. Learned State counsel submits that applicant- Vishwajeet Anant is land conspirator, whereas applicant-Nagendra has provided weapon of the offences to other co-accused persons and he is also in regular touch with co-accused Takeshwar Patle and for which CDR is also available on record to connect him with the offences in question and even he is absconding for last 10 months and other 08 cases of serious nature are also pending against him and, therefore, the applicants are not entitled for grant of bail. It is contended that the applicants have been implicated on the basis of the

memorandum statements of the co-accused, the call detail records, the recoveries effected during investigation and the statements of the prosecution witnesses. Considering the gravity and seriousness of the allegations, it is submitted that no case for grant of bail is made out and the applications deserve to be rejected.

8. I have heard learned counsel for the parties, considered their rival submissions made hereinabove and went through the record with utmost circumspection.

MCRCA-1176-2026:

9. After hearing learned counsel for the parties and going through the record and considering the facts and circumstances of the present case and further considering the gravity of the charges levelled against applicant- Nagendra Rai that he supplied weapon of the offences to other co-accused persons and he remained absconded for more than 10 months and did not cooperate in the investigation and even he is having criminal antecedents, I am not inclined to grant anticipatory bail to applicant- Nagendra Rai and his application is liable to be and is hereby **rejected**.

MCRC-7032-2026:

10. After hearing learned counsel for the parties and going through the record and considering the facts and circumstances of the present case and further considering the gravity of the charges levelled against applicant- Vishwajeet Anant that he obtained Rs.1,00,000/- from other co-accused persons to eliminate Nitesh Singh, Chandrakant Singh,

Raju Singh, Tamesh Singh and others and further considering the fact that the case of applicant- Vishwajeet Anant is identical/similarly situated qua co-accused persons, namely, Akbar Khan, Mohd. Mustkim @ Nafis and Mohd. Matin, who have been enlarged on regular bail by this Court vide order dated 02.07.2026, passed in MCRC-1603-2026, MCRC-2344-2026 & MCRC-1678-2026 and he is in jail since 29.10.2025 and investigation has been completed and the charge-sheet has already been filed, comprising about 459 pages and citing as many as 73 prosecution witnesses, and therefore the conclusion of the trial is likely to take considerable time and further out of other 06 criminal cases, in most of the cases he has been acquitted and only 02 cases are pending, I deem it appropriate to enlarge the applicant-Vishwajeet Anant on regular bail.

11. Accordingly, it is directed that applicant- **Vishwajeet Anant** be released on regular bail in connection with Crime No. 736/2025 registered at Police Station Masturi, District Bilaspur (C.G.), upon furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety in the like amount to the satisfaction of the trial Court concerned, subject to the following conditions:

(i) That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.

(ii) That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and

when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(iii) That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

(vi) in the event of breach of any of the aforesaid conditions, it shall be open to the prosecution to seek cancellation of bail in accordance with law.

12. It is made clear that the observations made herein are confined only to the adjudication of the present bail applications and shall not be construed as an expression on the merits of the case, which shall be decided independently by the trial Court on the basis of the evidence led before it.

13. Consequently, **MCRCA-1176-2026** filed by applicant- Nagendra Rai for grant of anticipatory bail is hereby **rejected**, whereas **MCRC-7032-2026** filed by applicant- Vishwajeet Anant for grant of regular bail is hereby **allowed**.

sd/-
(Sanjay K. Agrawal)
Judge

s@if