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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3828 of 2026

Anil Sahu S/o Keshav Sahu Aged About 20 Years R/o Village - Kesla, P.S. -
Bemetara, Tah. - Nawagarh, District - Bemetara (C.G.) **---Applicant**

versus

State Of Chhattisgarh Through - Police Station - Komakhan, District -
Mahasamund (C.G.) **---Non-applicant**

MCRC No. 5644 of 2026

Hareram Gupta S/o Matru Prasad, Aged About 39 Years R/o - Kadwa,
Mirzapur, District - Mirzapur (Uttar Pradesh) **---Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station -
Komakhan, District - Mahasamund (C.G.) **... Non-applicant**

For Applicants	: Mr. Aman Kumar Kesharwani, Advocate.
For Non-applicant/State	: Mr. S.S. Baghel, G.A.

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

08.07.2026

1. Since all the bail applications arise out of the same crime number, they

are being decided by this common order.

- 2.** The applicants have preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 25/2026, registered at Police Station : Komakhan, District - Mahasamund (C.G.) for the offence punishable under Sections 336(3) 338, 340(2), 61(2), 3(5) of the BNS and Sections 41,42,52 of the Indian Forest Act.
- 3.** The prosecution story, in brief, is that on 18.02.2026, the police party, along with the investigating staff and investigation kit, had proceeded for patrolling in the area when they received secret information from an informer that banned Khair wood was being illegally transported in a truck from Odisha. Acting upon the said information, the police intercepted the truck and found the main accused, Hareram Gupta, along with a person sitting on the helper's seat, namely Anil Sahu (co-accused). Upon search, it was found that the truck was carrying approximately 10 tonnes of Khair wood, valued at about Rs.4,00,000/-, which was allegedly being transported from Kolkata to Sohela, Odisha, via Sonipat (Haryana), on the instructions of Deepak Kumar Jat. During inquiry, the driver, Deepak Kumar Jat, stated that the documents relating to the transported wood were kept in a car bearing registration No. CG 22 Q 2788, which was following the truck. On checking the said car, the police recovered seals and other documents purportedly relating to the consignment. A notice was issued requiring production of valid documents; however, no genuine documents could be produced, and the documents and seals were found to be prima facie forged and

fabricated. It is alleged that the accused persons were transporting the banned species of Khair wood in a planned and illegal manner by using fake seals and forged documents. During the course of investigation, offences under the Indian Forest Act, 1927 were also added against the accused persons.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that applicant No. 1 was merely working as a helper on the offending vehicle bearing registration No. UP 65 LT 6829 and had recently joined employment under the owner of the truck, who is also a co-accused in the present case. Being only a helper, he had no knowledge about the alleged loading or transportation of the wood in the vehicle. It is further submitted that applicant No. 2 was only the driver of the said vehicle and had no conscious knowledge or involvement in the alleged offence. Learned counsel further submits that neither of the applicants has any criminal antecedents and they have been in judicial custody since 18.02.2026. It is also submitted that the charge-sheet has not yet been filed and the investigation is still pending. Learned counsel points out that there are three other co-accused in the present case and that the specific role attributed to the applicants is limited. It is further submitted that both the applicants are permanent residents of their respective addresses mentioned in the cause title and there is no likelihood of their absconding or tampering with the prosecution evidence or influencing the witnesses. The applicants undertake to cooperate with the investigation/trial, shall not misuse the liberty of bail, and are ready to furnish adequate bail bonds

and abide by all such terms and conditions as may be imposed by this Hon'ble Court while granting them bail.

5. On the other hand, learned State counsel opposes the submissions advanced on behalf of the applicants and submits that the present applicants, along with other co-accused persons, were involved in the commission of theft, therefore, they are not entitled to be granted regular bail in the present case.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the submissions made by learned counsel for the parties, the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicants, and further considering the fact that the charge-sheet has been filed before the competent Court, the applicants have no criminal antecedents, they are in judicial custody since 18.02.2026, and the conclusion of the trial is likely to take some more time, this Court is of the view that the applicants are entitled to be released on bail.
8. Let the Applicants – **Anil Sahu** and **Hareram Gupta** involved in Crime No. 25/2026, registered at Police Station : Komakhan, District - Mahasamund (C.G.) for the offence punishable under Sections 336(3) 338, 340(2), 61(2), 3(5) of the BNS and Sections 41,42,52 of the Indian Forest Act, be released on bail on furnishing **personal bond** with **two local sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they shall not seek any adjournment on the dates

fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

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

Sd/-

(Ramesh Sinha)
Chief Justice