



CGHC010228952026



2026:CGHC:29193

RUCHI
YADAV

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RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5621 of 2026

1 - Rakesh Dumbhare S/o Krishnarao Dumbhare, Aged About 42 Years
R/o Plot No. 82, Wathoda Layout, Hanuman Nagar, Nagpur, District -
Nagpur, Maharashtra

... Applicant(s)

versus

1 - State of Chhattisgarh Through Station House Officer, Police Station -
Kabir Nagar, District - Raipur (C.G.)

... Respondent(s)

For Applicant(s)	:	Mr. Chandrikaditya Pandey, Advocate
For Respondent(s)/State	:	Ms. Nupur Trivedi, P.L.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

10.07.2026

1. This is the first bail application filed under Section 483 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail
to the applicant who has been arrested in connection with Crime

No. 128/2024 registered at Police Station- Kabir Nagar, District- Raipur (C.G.) for the offence punishable under Sections 380, 457, 411, 34 of IPC.

2. As per the prosecution story, in brief, on 28.05.2024, the complainant, Satish Mishra, lodged a report at Police Station Kabir Nagar alleging that during his absence, unknown persons had committed house-breaking and theft at his residence by breaking open the lock and almirah and had stolen cash, gold and silver ornaments, and other valuable articles worth approximately ₹2,00,000/-. On the basis of the said report, the police registered Crime No. 128/2024 against unknown persons for the offences punishable under Sections 380 and 457 of the Indian Penal Code and commenced investigation. During the course of investigation, as the accused persons could not be traced and the stolen property could not be recovered, the police submitted a closure report bearing No. 30/2024 on 05.12.2024. Thereafter, during the investigation of Crime No. 22/2026 registered at Police Station Saraswati Nagar, certain stolen articles were allegedly recovered from the co-accused, and on the basis of the memorandum statement of the co-accused, the present applicant was also implicated in the present case. Consequently, Sections 411 and 34 of the Indian Penal Code were also added against the applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is

contended that the applicant was neither named in the First Information Report nor is there any direct material connecting him with the alleged offence. Learned counsel further submits that the investigation is still pending, the applicant has been in judicial custody since 30.04.2026. Since the conclusion of the trial is likely to take considerable time, it is prayed that the applicant be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that considering the material collected during the course of investigation and the criminal antecedent of the applicant, no case for grant of bail is made out. It is, therefore, prayed that the bail application be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Having considered the overall facts and circumstances of the case, particularly the fact that the applicant was not named in the First Information Report, the investigation is still in progress, the applicant has been in judicial custody since 30.04.2026, and the conclusion of the trial is likely to take considerable time, this Court is of the considered opinion that, without expressing any opinion on the merits of the case, the applicant deserves to be enlarged on bail. Accordingly, the application is allowed.

7. Let the Applicant – **Rakesh Dumbhare** involved in Crime No.- 128/2024 registered at Police Station- Kabir Nagar, District-

Raipur (C.G.) for the offence punishable under Sections 380, 457, 411, 34 of IPC, be released on bail on furnishing **personal bond** with **two local sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he 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 applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in

accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant 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 applicant is 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 him in accordance with law.

8. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial expeditiously from the receipt of this order in accordance with law, if there is no legal impediment.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**