



CGHC010254532026



2026:CGHC:29638

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 6253 of 2026**

1 - N. Anji S/o Narayan Appa Sthayi, Aged About 23 Years R/o Mamleshwar, Swami Mandir Ke Peeche, Thathepali, Thana Bethmagla, District Kolar (Karnatak) Present Address Najma Ke Makan Narmada Para, Thana Ganj, District Raipur (C.G.)

2 - S. Murugesh S/o S. Subramani Sthayi, Aged About 37 Years R/o Mamleshwar, Swami Mandir Ke Peeche, Thathepali, Thana Bethmagla, District Kolar (Karnatak) Present Address Najma Ke Makan Narmada Para, Thana Ganj, District Raipur (C.G.)

... Applicants**versus**

State of Chhattisgarh Through - Police Station Saraswati Nagar, Raipur, District Raipur (C.G.)

... Non-Applicant

For Applicants : Mr. Vikas Kumar Pandey, Advocate
For Non-Applicant/State : Ms. Nupur Trivedi, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****14.07.2026**

- The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as they have been arrested in connection with Crime No. 67/2026 registered at Police Station – Saraswati Nagar, Raipur, District Raipur, (C.G.) for the offence

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punishable under Sections 331(3), 305(a) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. As per the prosecution case, on the basis of a report lodged by the complainant, namely Shantanoo Trivedi, Crime No. 67/2026 was registered for the offences punishable under Sections 331(3), 305(A) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 at the concerned Police Station against unknown persons. The prosecution alleges that the complainant was residing along with his friend, Vivek Kumar Lahre, in a rented accommodation near Shriram Bhojnalaya. On 31.03.2026, at about 7:00 a.m., Vivek Kumar Lahre had gone for a morning walk after closing the door of the room, though it was allegedly not locked. When he returned at about 8:00 a.m., it was noticed that a laptop and cash kept in the room were missing. Upon discovering the theft, the complainant lodged a report with the police. During the course of investigation, the police allegedly traced the involvement of the present applicants in the commission of the offence and subsequently arrested them. On the basis of the aforesaid allegations and material collected during investigation, the present crime has been registered against the applicants and they have been taken into custody. Hence, this bail application.
3. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in the present case and have no connection whatsoever with the alleged offence. He further submits that no stolen property, including the alleged laptop or cash amount, has been recovered or seized from the

possession of the applicants, and there is no direct evidence connecting them with the commission of the alleged offence. It is contended that the applicants have been implicated merely on the basis of suspicion, particularly because they are not permanent residents of the State of Chhattisgarh. He further submits that one another criminal case of a similar nature has also been registered against the applicants, however, the implication of the applicants in both cases is stated to be based upon the same memorandum statement, wherein the names of the applicants allegedly surfaced during investigation. It is further submitted that the applicants are labourers by occupation and are in jail since 01.04.2026., the charge-sheet has already been filed, no further custodial interrogation is required, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicants.

4. On the other hand, learned State Counsel has vehemently opposed the bail application and submitted that the charge-sheet has been submitted before the competent Court. She further submits that the allegations against the applicants are serious in nature and are supported by the material collected during the course of investigation. It is submitted that during investigation, the applicants were apprehended and, on the basis of their memorandum statements, stolen property connected with the offence was recovered from their possession, including two laptops of ASUS and HP companies and several mobile phones of different brands, namely OnePlus, iPhone and Realme. She further submits that the recoveries effected from the exclusive possession of the applicants

prima facie establish their involvement in the commission of the offence and lend substantial corroboration to the prosecution case. It is also submitted that the applicants are habitual offenders and have criminal antecedents involving offences of a similar nature, which indicates their propensity to commit such crimes. Considering the nature of the offence, the recovery of stolen articles from the possession of the applicants, their criminal antecedents, and the likelihood of their indulging in similar activities if released on bail, it is prayed that the present bail application deserves to be rejected.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicants, and the submissions advanced by learned counsel for the parties, and further the fact that the prosecution case reveals that the applicants are alleged to have committed theft of laptops, mobile phones and cash from the rented accommodation of the complainant and, during the course of investigation, stolen articles were recovered from their possession. The record further reflects that pursuant to the memorandum statements of the applicants, two laptops of ASUS and HP companies and several mobile phones of different brands, namely OnePlus, iPhone and Realme, were seized from their possession, which *prima facie* corroborates the prosecution case and establishes their nexus with the alleged offence. Further, it has been brought on record that the applicants are having one previous criminal antecedent involving offences of similar nature.

The criminal antecedent coupled with the recoveries made from the possession of the applicants prima facie indicates that they are habitual offenders and there exists a likelihood of their indulging in similar criminal activities if released on bail. Considering the nature of the accusations, the substantial recoveries effected from the possession of the applicants, their previous criminal antecedent of similar nature, and the overall facts and circumstances of the case, this Court is of the considered opinion that no case for grant of bail is made out at this stage.

7. Accordingly, the bail application of applicants – **N. Anji** and **S. Murugesh**, involved in Crime No. 67/2026 registered at Police Station – Saraswati Nagar, Raipur, District Raipur, (C.G.) for the offence punishable under Sections 331(3), 305(a) and 3(5) of Bharatiya Nyaya Sanhita, 2023, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

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