



CGHC010308582026



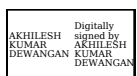
2026:CGHC:35969

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7335 of 2026

1 - Harsh Sidar @ Bittu S/o- Santosh Sidar, Aged About 19 Years
Resident Of Village- Sukhda, Police Station- Dabhra, District- Sakti
(C.G.)



2 - Gulshan Bareth, S/o- Lakhna Bareth Aged About 19 Years Resident
Of Village- Sukhda, Police Station- Dabhra, District- Sakti (C.G.)

... **Applicant(s)**

versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Malkharauda, District- Sakti (C.G.)

... **Respondent(s)**

For Applicant(s) : Mr. Dharendra Prasad Mishra, Advocate.

For Respondent(s) : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

13.08.2026

- 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. 183/2026, registered at Police Station Malkharauda, District- Sakti (CG) for the offence punishable under Sections 303(2), 324(3), 112, 3(5) of BNS.

2. The prosecution story in brief, is that complainant, Ghanshyamlal Chandra, a teacher posted at Government Middle School, Kalmi, lodged a written complaint at Police Station Malkharoda stating that on 10.05.2026 at about 7:00 p.m., he had parked his Hyundai Venue car bearing registration No. CG 10 CA 4365 in front of his house. On the following morning, i.e., 11.05.2026 at about 5:00 a.m., he found that the rear glass of the car had been broken and a jack and spanner worth Rs.7,000/- kept inside the vehicle had been stolen by an unknown person. On the basis of the said complaint, Crime No.183/2026 was registered against the unknown accused persons for the offences punishable under Sections 303(2), 324(3), 112 and 3(5) of the BNS. During investigation, it allegedly came to light that accused Harsh Sidar who had been arrested in Crime No.181/2026 of Police Station Malkharoda, disclosed in his memorandum statement that he, along with co-accused Gulshan Bareth, Prakash Chandra alias Bittu and Ashish Sagar, had committed the theft of the jack and spanner from a Baleno car at village Kalmi. The stolen jack and spanner were allegedly recovered from the possession of accused Harsh Sidar. Accordingly, the prosecution alleges that the present applicants were *prima facie* involved in the commission of the alleged offence. Hence, the bail application.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in this case. He further submits that the FIR was lodged against the unknown person and the present applicants have been arrested on the basis of suspicion. The applicants are in jail since 29.06.2026, As regards the criminal antecedents of the applicants, it is submitted that the applicants have eleven criminal antecedents of the year 2026 of similar nature, out of the said cases, bail applications preferred by the applicants in three cases have already been rejected, in respect of three other cases, the applicants have preferred bail applications bearing MCRC Nos. 7466 of 2026, 7492 of 2026, and 7497 of 2026, listed today at Serial Nos. 46, 67 and 71, respectively, further 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 opposes the bail application and submits that the charge-sheet has been filed in the present case. She further submits that the applicants Harsh Sidar and Gulshan Bareth, along with co-accused persons, committed theft of a jack and spanner worth Rs.7,000/- from the complainant's car after breaking its rear glass and the stolen articles were recovered from the possession of co-accused Harsh Sidar. So far as criminal antecedents of the applicants are concerned, the applicants have total eleven criminal antecedents of the year 2026 of identical nature, therefore, the applicants are not entitled for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts & circumstances of the case, nature & gravity of the offence, material available in the case diary and the fact that the applicants, Harsh Sidar and Gulshan Bareth, along with co-accused persons, committed theft of a jack and spanner worth Rs.7,000/- from the complainant's car after breaking its rear glass and the stolen articles were recovered from the possession of co-accused, Harsh Sidar, so far as criminal antecedents of the applicants are concerned, the applicants have total eleven criminal antecedents of the year 2026 of identical nature, out of the said cases, bail applications preferred by the applicants in three cases have already been rejected, in respect of three other cases, the applicants have preferred bail applications bearing MCRC Nos. 7466 of 2026, 7492 of 2026, and 7497 of 2026, listed today at Serial Nos. 46, 67 and 71, respectively and the same are also rejected today itself by this Court, the criminal antecedents of the applicants indicates that the applicants are habitual offender and have misused the liberty to bail granted to them earlier, as such, this Court is of the opinion that it is not a fit case to enlarge the applicants on regular bail.
7. Accordingly, the bail application of applicants - **Harsh Sidar @ Bittu** and **Gulshan Bareth** involved in Crime No. 183/2026, registered at Police Station Malkharauda, District- Sakti (CG) for

the offence punishable under Sections 303(2), 324(3), 112, 3(5) of BNS, 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**

Akhil