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2026:CGHC:38825

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DEWANGAN**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 8120 of 2026**

D. Ignesh Rao S/o D. Niranjan Rao Aged About 19 Years Resident Of Jal Vihar Colony, Near Sulabh, P.S. Telibandha, District- Raipur, Chhattisgarh,

... Applicant(s)**versus**

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

... Non-Applicant(s)

For Applicant : Mr. Rekhraj Baghel, Advocate.

For Non-Applicant/State : Ms. Anusha Naik, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****02.09.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 176/2026, registered at Police Station Khamhardih, District Raipur (C.G.) for the offences punishable under Sections 331(4), 305, 317(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. The prosecution story, in brief, is that the complainant lodged a report at the concerned Police Station alleging that unknown

persons had entered his house and committed theft of gold and silver ornaments as well as cash. On the basis of the said report, the aforesaid crime was registered against unknown persons for the offences punishable under Sections 331(4), 305, 317(2) and 3(5) of the BNS. During the course of investigation, the present applicant was implicated in the case on the basis of the memorandum statement of the accused persons. Accordingly, aforesaid crime has been registered against him.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that the applicant has been implicated merely on the basis of the memorandum statement of the accused persons and that no sufficient material has been collected by the prosecution to establish the involvement of the applicant in the alleged offence. It is further submitted that no stolen article was recovered from the possession of the applicant and in the present case charge-sheet has been filed before the competent Court and the applicant has no criminal antecedent and the conclusion of the trial is likely to take some time for its conclusion therefore, he prays for grant of bail.
4. On the other hand, learned State Counsel, appearing for the State/non-applicant, opposes the prayer for grant of bail and submits that during the course of investigation, two silver coins have been seized from the possession of the present applicant. However, she fairly submits that the applicant has no criminal antecedents but the manner in which the crime has been

committed, the applicant is not entitled to be released on bail.

5. I have heard learned counsel for the parties and perused the case diary as well as the material available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offences levelled against the applicant, the period of detention of the applicant since 11.06.2026 and further considering that the applicant has no criminal antecedents and also considering the seizure of two silver coins from the possession of the applicant, thus without further commenting anything on the merits of the case and considering that the trial is likely to take some time for its conclusion, I am inclined to grant regular bail to the present applicant.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let applicant, **D. Ignesh Rao**, involved in Crime No. 176/2026, registered at Police Station Khamhardih, District Raipur (C.G.) for the offences punishable under Sections 331(4), 305, 317(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023., be released on bail on his furnishing **a personal bond** with **two 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.

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**