



CGHC010382922026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9324 of 2026

1 - Rohit Kumar Kankariya S/o Shri Asakaran Kankariya Aged About 51 Years R/o Sindhiya Nagar, Mohan Nagar, Behind Mishthan Bhandar, Durg Police Station Mohan Nagar, Distt- Durg (C.G.)

2 - Anup Rawalani S/o Late Shri Khanchand Rawalani Aged About 55 Years R/o 86/6, East Nehru Nagar, Bhilai, Police Station Supela, Distt- Durg (C.G.) (Particulars Of The Applicant Is Not Properly Mentioned In The First Page English Cause Title Of The Impugned Order)

... Applicants

versus

1 - State Of Chhattisgarh Through Police Station Mohan Nagar, Distt- Durg (C.G.)

... Non-applicant

For Applicants : Mr. Avinash Chand Sahu, Advocate

For Non-applicant : Mr. Vivek Sharma, P.L.

/State

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16/10/2026

1. The applicants have preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as they have been arrested in connection with Crime No. 600/2026 registered at Police Station Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 340(2), 345(3), 347(1) and 336(3) of BNS.
2. Case of the prosecution, in brief, is that complainant Monish Soni lodged a written complaint on 24/08/2026 to the effect that the registration number of his vehicle (car) was being misused by an unknown person. On the basis of the said complaint, FIR was registered and during the course of investigation, police found that applicant No. 2 Anup Rawalani was owner of a vehicle Toyota Yaris bearing Registration No. CG-07-BJ-5256 and he had borrowed an amount of Rs.3,50,000/- from applicant No.1 Rohit Kumar Kankariya and had kept the aforesaid vehicle with as security. Subsequently, in the year 2023, co-accused Vijay Sen approached applicant No.1 with a proposal to purchase the vehicle. Applicant No.1 informed him that the vehicle was not registered with the RTO. Co-accused Vijay Sen assured applicant No.1 that he would get the vehicle registered at RTO, Durg, after obtaining the requisite consent. On such assurance, applicant No.1 handed over the vehicle to Vijay Sen, who paid Rs.90,000/- and assured that the remaining amount would be paid

subsequently. Thereafter, Vijay Sen took possession of the vehicle and allegedly used it by affixing a false number plate with the registration No. of complainant's vehicle. Thus, the accused persons committed the aforesaid offence.

3. Mr. Avinash Chand Sahu, learned counsel appearing for the applicants, would submit that the applicants are innocent and have falsely been implicated in the present case. He would further submit that the vehicle was being used with a forged number plate by co-accused Vijay Sen and therefore, the applicants herein do not have any role in commission of the crime in question. He would further submit that though applicant No. 1 Rohit Kumar Kankariya has two previous criminal antecedents but they were registered way back in the year 2019 and applicant No. 2 Anup Rawalani does not have any criminal antecedents. He would lastly submit that charge-sheet has yet not been filed and the applicants are in jail since 20/09/2026 and since conclusion of trial is likely to take considerable time, therefore, the applicants may be released on bail.

4. On the other hand, Mr. Vivek Sharma, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the present applicants along with co-accused Vijay Sen have active roles in commission of the aforesaid offence. He would further submit that applicant No. 1 has two criminal antecedents registered in the year 2019 which is still pending for

adjudication. Thus, he would pray for rejection of the bail application.

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

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, role of the present applicants particularly considering that though applicant No. 1 has two previous criminal antecedents but it was registered way back in the year 2019 and applicant No. 2 has no previous criminal antecedents and looking to the fact that charge-sheet has not yet been filed, the applicants are in judicial custody since 20/09/2026, and the conclusion of the trial is likely to take some time, without commenting on the merits of the matter, this Court is inclined to enlarge the applicants on regular bail. Accordingly, the bail application is **allowed**.

7. It is directed that in the event of the applicants executing a personal bond for a sum of **Rs.50,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail, on following conditions :-

(i) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such fact to the Court,

(ii) they shall not act in any manner which will be

prejudicial to fair and expeditious trial, and

(iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet