



CGHC010383312026



2026:CGHC:44735

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9282 of 2026

- Surendra Yadav S/o Budharu Aged About 18 Years R/o Ward No 36 Lakholi Naka Sethi Nagar P S Kotwali Tahsil And District Rajnandgaon C.G.

... Applicant

versus

- State Of Chhattisgarh Through Police Station Kotwali District Rajnandagon C.G.

... Non-applicant

For Applicant	:	Mr. Sanjeev Verma, Advocate
For Non-applicant	:	Ms. Sameeksha Gupta, P.L

Hon'ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

15.10.2026

- 1) The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 384/2026 registered at Police Station Kotwali, District Rajnandgaon (C.G.) for offences punishable under Sections 309(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
- 2) The case of the prosecution, in brief, is that on the date of the incident, victim Ramratan Tembhurkar was returning from Bhilai after delivering

medicines for his mother. On his way, near R.K. Nagar, Rajnandgaon, his scooty ran out of petrol and while he was walking alongside it, three persons riding a blue scooty approached him, pushed him down causing injuries, and robbed his mobile phone and a gold chain valued approximately ₹54,000/-. On the basis of the oral report of the victim, an FIR was registered against unknown persons. During the course of investigation, the police intercepted the suspects and it was alleged that applicant was riding the scooter with Aman Khan as pillion, while co-accused Abhishek Kumhare was also involved, and the snatched mobile phone was allegedly recovered from him. Consequently, the applicant was arrested on 20.07.2026 and after completion of investigation, a charge-sheet has been filed.

- 3) Learned counsel appearing for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the applicant was not named in the FIR and no Test Identification Parade was conducted by the investigating agency to establish the identity of the applicant. He would also submit that with regard to the alleged robbery of the gold chain, the complainant himself in his statement recorded under Section 180 of the BNSS clarified that he had lost his gold chain elsewhere and it was not robbed. He would contend that co-accused Abhishek has been enlarged on bail by the co-ordinate Bench in MCRC/8413/2026. He would further contend that the charge-sheet has already been filed before the competent Court, the applicant has no criminal antecedents, he is in judicial custody since 20.07.2026, and the conclusion of the trial is likely to take considerable

time; therefore, the applicant may be enlarged on regular bail.

- 4) On the other hand, learned counsel appearing for the State/non-applicant would vehemently oppose the bail application and submit that the applicant along with other co-accused persons committed a daylight robbery, and the snatched mobile phone was seized from the possession of the applicant, thus the applicant is not entitled to be released on bail. However, he admits that the charge-sheet has already been filed and the applicant has no criminal antecedents.
- 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, particularly the charge-sheet has already been filed before the competent Court; further no Test Identification Parade was conducted to identify the applicant, the complainant himself in his statement under Section 180 of the BNSS stated that the gold chain was lost elsewhere; the applicant has no criminal antecedents, he is in judicial custody since 20.07.2026, and the conclusion of the trial is likely to take some time.
- 7) In view of the aforesaid discussion, coupled with the fact that co-accused Abhishek has been enlarged on bail by the coordinate Bench in MCRC/8413/2026, this Court, without commenting on the merits of the case, is inclined to enlarge the applicant on regular bail. Accordingly, the bail application is **allowed**.
- 8) It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction

of the concerned trial Court, he shall be released on bail, on following conditions :-

- (i) he 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 him from disclosing such fact to the Court,
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

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