



CGHC010387622026



2026:CGHC:44862

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 9296 of 2026**

Irfan Khan S/o Shri Ashif Khan Aged About 20 Years R/o Dharsiwa Ward No 07 In Front Of Mandi P S Dharsiwa Raipur District Raipur C.G. ... **Applicant**

versus

NADIM
MOHLE

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NADIM MOHLE
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State Of Chhattisgarh Through The Station House Officer Police Sation Dharsiwa Raipur District Raipur C. G. ... **Non-Applicant**

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Non-Applicant : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey**Order Sheet****16/10/2026**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who is in custody in connection with Crime No. 136/2026 registered at Police Station Dharsiwa, District Raipur (C.G.) for offences punishable under Sections 305, 331(4), 111(1), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. As per the prosecution case, during the year 2025–26, the Krishi Seva Sahkari Samiti purchased paddy from farmers under government directions. Due to unforeseen circumstances, the Samiti could not transport the stock and stored 3,500 bags of paddy (each weighing 40 kg) in the FCI godown at Dharsiwa, Raipur under lock and key. On

06.03.2026 at about 07:00 PM, the authorized officer inspected the godown and found the stock intact. However, on 08.03.2026, it was discovered that an unidentified person had broken the godown wall and stolen 24 quintals of paddy valued at Rs. 74,400/-. On the report lodged by the complainant, the aforesaid crime was registered. During the course of investigation, 440 kg of paddy was allegedly recovered from the possession of the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that the seizure memo prepared by the prosecution is fabricated. The investigation is complete, the charge-sheet has already been filed before the learned Trial Court, and the applicant has been in jail since 09.03.2026. He further submits that co-accused Aman Khan has already been extended the benefit of regular bail by a coordinate Bench of this Court vide order dated 10.07.2026 passed in M.Cr.C. No. 5048/2026; though the applicant has one criminal antecedent of similar nature, considering his period of custody and the fact that trial will take some time to conclude, the applicant may be enlarged on bail.
4. On the other hand, learned State counsel opposes the bail application and submitted that the applicant has one criminal antecedent of a similar nature and the bail application of another co-accused, namely Sabir Khan, has already been rejected by this Court in M.Cr.C. No. 8533/2026; thus, the applicant is not entitled to be released on bail.
5. Heard learned counsel for the parties and perused the case diary.
6. Having considered the rival submissions of the parties, taking into account the facts and circumstances of the case, the nature of the allegations, the fact that only 440 kg of paddy was seized from the applicant, the applicant has only one criminal antecedent, the investigation is complete and the charge-sheet has already been filed,

the detention period of the applicant since 09.03.2026, and further taking into consideration that co-accused Aman Khan has already been released on bail in M.Cr.C. No. 5048/2026, this Court is of the view that it is a fit case to release the applicant on regular bail. Accordingly, the application is **allowed**.

7. 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.

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

Nadim