CGHC010312162026 2026:CGHC:42911

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7437 of 2026

Vishal Singh S/o Vipin Singh Aged About 24 Years R/o - Pragati Nagar, Achholi, Police Station - Urla, District - Raipur (C.G.)

... Applicant(s)

versus

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

State Of Chhattisgarh Through Police Station Kabir Nagar District - Raipur (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Waquar Naiyer, Advocate.
For Non-Applicant/State	:	Mr. Vivek Sharma, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/10/2026

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. 114/2026, registered at Police Station Kabir Nagar, District Raipur (C.G.), for the offence punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that on 05.06.2026, the complainant Ramkumar Shukla was returning to his home on

bicycle after completing his duty, when near Ring Road, Tenduā Over Bridge, three persons riding a motorcycle stopped him and on the pretext of making an enquiry, one of them put his hand into the pocket of the complainant and forcibly took away his Redmi mobile phone containing two SIM cards and fled towards Tenduā. On the basis of the report, an offence under Section 309(4) of the BNS was registered against three unknown persons. During investigation, the said looted mobile phone was allegedly recovered from the possession of the present applicant on the basis of his memorandum statement. It is alleged that the applicant had purchased the said mobile phone from co-accused Prince Yadav and was thereafter apprehended by the police, leading to his implication and arrest in the present case.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the applicant had purchased the mobile phone from co-accused Prince Yadav and was not aware that the said mobile phone had been looted. He would contend that the applicant has no criminal antecedents and is in jail since 24.07.2026. He would further submit that the charge-sheet has already been filed before the competent Court and the conclusion of the trial is likely to take some time. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the present applicant is connected

with the offence inasmuch as the mobile phone looted from the complainant has been recovered from his possession and the material collected during investigation indicates his involvement in the offence. However, he fairly submits that the applicant has no criminal antecedents. Accordingly, he prays for rejection of the bail application.

5. I have heard learned counsel for the parties and perused the case diary as well as the material available on record.

6. Considering the overall facts and circumstances of the case, nature and gravity of the allegations levelled against the applicant and particularly, considering the fact that the mobile phone allegedly looted from the complainant on 05.06.2026 was subsequently recovered from the possession of the present applicant, who is stated to have purchased the same from co-accused Prince Yadav, and further considering the fact that the charge-sheet has already been filed before the competent Court, the applicant is in jail since 24.07.2026 and has no criminal antecedents and conclusion of the trial is likely to take some time, thus this Court is of the considered view that the applicant deserves to be released on regular bail.

7. Accordingly, the bail application of the applicant is **allowed**. 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 the 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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal