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**NAFR**

# HIGH COURT OF CHHATTISGARH AT BILASPUR

**MCRC No. 7735 of 2026**

**1 -** Nikhil @ Sameer Maheshwari S/o Ishwar Prasad Aged About 26 Years (Sameer Is Wrongly Mentioned As Samri In The Order), R/o Awas Mohalla, Village- Nagoi Baima, Police Station- Sarkanda, District- Bilaspur (C.G.)

**... Applicant**

**versus**

**1 -** State Of Chhattisgarh Through Station House Officer, Police Station- Sarkanda, District- Bilaspur (C.G.)

--- **Non-applicant**

| | | |
|---|---|---|
| For Applicant | : | Ms. Divya Sahu, Advocate |
| For Non-applicant | : | Ms. Smriti Shrivastava, PL |

**Hon’ble Shri Justice Rakesh Mohan Pandey**

**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, he has been arrested in connection with Crime No.1068/2026 registered at Police Station Sarkanda, Bilaspur (C.G.) for the offence under Sections 331(3) & 305(a) of Bhartiya Nyaya

Sanhita, 2023.

**2)** As per the case of the prosecution, on 16.07.2026, the present applicant entered the shop of the complainant, Alok Kumar Bhoi, and committed theft of cash amounting to Rs.15,700/- and other articles from the provisions kept in the complainant's shop. FIR was lodged on 19.07.2026 and, during the course of investigation, the present applicant was arrested and Rs.5,700/- was recovered from his possession. Hence, the present bail application.

**3)** Learned counsel appearing for the applicant would submit that there is no criminal antecedent of a similar nature; rather, two criminal cases under the Arms Act and the BNS were registered in the year 2026 itself. She would contend that the applicant has already been granted bail in both the cases. It is also argued that the charge-sheet has already been filed; the applicant is in jail since 19.07.2026, and the trial is likely to take some time for its conclusion. Therefore, the applicant is entitled for grant of bail.

**4)** On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicant committed theft and, at his instance, an amount of Rs.5,700/- was recovered. It is also argued that the present applicant has two live criminal antecedents; therefore, his bail application deserves to be rejected.

**5)** I have heard learned counsel for the parties and perused the material available on record.

**6)** Having considered the fact that there is no criminal antecedent of a similar nature against the applicant, the charge-sheet has already been filed, the applicant is in jail since 19.07.2026, and the conclusion of the trial may take some time, without expressing any opinion on the

merits of the case, this Court is of the considered opinion that it is a fit case to allow the application. Accordingly, the bail 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 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.

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

Sd/-

**(Rakesh Mohan Pandey)**
JUDGE

Rekha