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NAFR

KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8735 of 2026

Purushottam Yadav S/o Bhujbal Yadav Aged About 35 Years R/o Village - Bagdabri, Post - Khisora, Police Station - Balouda, District Janjgir-Champa Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station - Koni, District Bilaspur Chhattisgarh

... Non-Applicant(s)

For Applicant	:	Mr. Sudeep Verma, Advocate.
For Non-Applicant/State	:	Mr. K.S. Saini, Dy. Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

12/10/2026

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. 119/2026 registered at Police Station Koni, District Bilaspur (C.G.), for the offence punishable under Sections 303(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that on 28.03.2026, the complainant lodged a report alleging that 270 litres of diesel had

been stolen from his trailer bearing registration No. CG-10-BS-9548, which was parked in front of Jai Tata Motors, Sendri, after it developed a mechanical fault. During investigation, co-accused Amit Kumar Bhardwaj, Sanjay Kumar Kurre and Manishankar Kurre, in their memorandum statements, allegedly disclosed their involvement in the offence along with the present applicant Purushottam Yadav and other co-accused persons, namely Bhishamdev Khunte, Shubham Kurre, Leelaram Kurre, Deva Khunte and Vivek Sande. On the basis of the aforesaid material, the present applicant and other co-accused persons were implicated in the crime and the offence, as stated above, was registered against them.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. Prima facie, no ingredients of the alleged offence are made out against him and there is no evidence connecting him with the crime except the memorandum statement of the co-accused persons. He would further submit that the charge-sheet has already been filed before the competent Court and the applicant is in jail since 28.03.2026. It is also submitted that similarly situated co-accused persons, namely Bhishmdev Khunte and Amit Kumar Bhardwaj, have already been granted bail by a Co-ordinate Bench of this Court in MCRC No. 7551/2026, vide order dated 14.08.2026 and MCRC No. 7607/2026, vide order dated 17.08.2026, respectively. So far as the criminal antecedents of the applicant are concerned, he has two criminal antecedents, one under the BNS and the other under the

BNS read with Section 25 & 27 of the Arms Act, both of which are pending consideration and have been disclosed in Part-D of the bail application. As the conclusion of the trial is likely to take some more time, he prays that the applicant be enlarged on bail on the ground of parity.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has been implicated in the offence of theft of 270 litres of diesel on the basis of the memorandum statements of the co-accused persons. He would further submit that, although the charge-sheet has been filed before the competent Court but the applicant has two criminal antecedents, which are pending consideration and have been disclosed in Part-D of the bail application. However, he could not dispute the fact that co-accused persons Bhishamdev Khunte and Amit Kumar Bhardwaj have already been granted bail by a Co-ordinate Bench of this Court. Looking to the seriousness of case, the applicant is not entitled for grant of bail.

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

6. Considering the facts and circumstances of the case, nature of allegations, material collected during investigation, criminal antecedents of the applicant, the fact that the charge-sheet has already been filed before the competent Court, the period of incarceration since 28.03.2026 and further considering that similarly situated co-accused persons, namely Bhishmdev Khunte and Amit

Kumar Bhardwaj, have already been granted bail by a Co-ordinate Bench of this Court in MCRC No. 7551/2026, vide order dated 14.08.2026 and MCRC No. 7607/2026, vide order dated 17.08.2026, respectively, thus without commenting upon the merits of the case, I am inclined to grant bail to the applicant.

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