CGHC010363312026 2026:CGHC:45368

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8991 of 2026

Shinu Takariya S/o Tilak Takariya Aged About 45 Years R/o Madoda Bhilai Police Station Newai District Durg (C.G.)

... Applicant

versus

State Of Chhattisgarh District Magistrate Durg, District Durg (C.G.)

... Respondent(s)

For Applicant	**:**	Shri Akshat Pandey, Advocate
For Respondent(s)	**:**	Ms. Priya Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27/10/2026

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 has been arrested in connection with Crime No. 117/2026 registered at Police Station Utai, District Durg (C.G.) for the offence punishable under Sections 303(2) and 3(5) of BNS, 2023. The applicant is in custody since 27.02.2026.

2. Case of the prosecution, in brief, is that the complainant lodged a report on 27.02.2026 at Police Station- Utai, District- Durg alleging that while working as an HR officer at the under construction Bharat Mala Road in Utai area of Umarpoti road under the bridge U-jack, Jack Pipe, setting plate working approximately Rs. 10,000/- were kept in an open space, which were stolen by the applicant/accused alongwith other co-accused Hitesh around 9:00 pm, which was seen by the people nearby. Hence, the case was registered.

3. Learned counsel for the applicant submits that that applicant is innocent and has been falsely implicated in the case. It is further submitted that the applicant has five criminal antecedents out of which he has already been acquitted in three case and two cases are still pending for consideration, the investigation has been completed and the charge-sheet has already been filed, he has been languishing in custody since 27.02.2026, and the conclusion of the trial is likely to take considerable time; thus, the applicant may be enlarged on regular bail.

4. Learned State counsel opposes the bail application and submits that the applicant is involved in the commission of the alleged offence along with the co-accused. It is further submitted that the

applicant has five criminal antecedents, out of which three cases have resulted in acquittal, while two cases are still pending. Therefore, considering the criminal antecedents of the applicant, the State counsel prays for rejection of the bail application.

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

6. Having regard to the facts and circumstances of the case, particularly the nature of the alleged offence, the value of the stolen articles, the fact that the investigation has been completed and the charge-sheet has already been filed, and the period of custody undergone by the applicant since 27.02.2026, this Court is of the view that the applicant can be enlarged on regular bail. Without commenting on the merits of the case, this Court is inclined to allow the bail application. Accordingly, the bail 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

Madhurima