CGHC010365062026 2026:CGHC:43232

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8863 of 2026

1 - Bhanu Pratap Loniya S/o Baisakhu Ram Loniya Aged About 33 Years R/o Gram Barpali, (Badauriya Khar), P.S. Koni, Distt. Bilaspur Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through P.S. Koni, Distt. Bilaspur Chhattisgarh

--- **Non-applicant**

For Applicant	:	Mr. Raj Kumar Gupta, Advocate
For Non-applicant	:	Mr. Kawaljeet Singh Saini, Dy. GA

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

06.10.2026

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.368/2026 registered at Police Station Koni, District Bilaspur (C.G.), for the offence punishable under Sections 303(2), 317(4) and 3(5) of BNS.

2) The case of the prosecution, in brief, is that on 01.07.2026, co-

accused Shiv Loni and three other co-accused allegedly committed theft of 150 litres of diesel from the complainant's truck. On the basis of the complaint, an FIR was registered against unknown persons. During investigation, co-accused Shiv Loni was arrested and allegedly disclosed that the stolen property had been sold to the present applicant. Pursuant thereto, the present applicant was arrested on 11.07.2026 and the offence was registered against him.Hence, the present bail application.

3) Learned counsel for the applicant submits that the allegation against the present applicant is of receiving stolen property. He would further submit that three accused persons are still absconding and co-accused Shiv Loni has already been granted bail by the learned Sessions Court. It is also contended that the charge-sheet has already been filed and the applicant is in jail since 11.07.2026. With regard to the criminal antecedents, Mr. Gupta would submit that there was a simple dispute between the family members, pursuant to which two FIRs were registered on the same day and thus, he would pray for grant of bail to the present applicant.

4) On the other hand, learned State counsel opposes the bail application and submits that the present applicant was involved in receiving stolen property and was arrested on the basis of the memorandum statement of co-accused Shiv Loni. He would further submit that 100 litres of diesel was seized from the possession of the present applicant. He would contend that the applicant has two criminal antecedents and, therefore, his bail application deserves to be rejected.

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

6) Having considered the facts and circumstances of the case, particularly the fact that two criminal cases were registered against the present applicant on account of a family dispute; the charge-sheet has already been filed; the applicant is in jail since 11.07.2026; and the co-accused has already been granted bail by the learned Sessions Court, and without commenting anything on the merits of the case, I am inclined to grant bail to the present applicant. 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