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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8912 of 2026

*** -** Irfan Ali S/o Akram Ali Aged About 32 Years R/o Jhalmala Tikripara, Police Station- Seepat, District- Bilaspur (C.G.)

... Applicant

Versus

*** -** State Of Chhattisgarh Through S.H.O, Police Station- Akaltara, District- Janjgir-Champa (C.G.)

... Non-Applicant

For Applicant	**:**	Ms. Madhunisha Singh, Advocate
For Non-Applicant	**:**	Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

07/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 24.02.2026 in connection with Crime No. 95/2026 registered in Police Station – Akaltara, District Janjgir-Chama (CG) for commission of offence punishable under Sections 303(2), 112(2) & 3(5) of BNS.

2. As per case of prosecution, on 17.02.2026 complainant- Dushiyant Kumar lodged an F.I.R. to the effect that his Eeco Car bearing registration No. CG-13-N-0999 which was lying stationary near his house at village Amlipali, Police Station Akaltara, was stolen in the intervening night of 16th-17th February, 2026. On such complaint, police registered an offence punishable under Section 303(2) of BNS against unknown person.

3. Learned counsel appearing for the applicant would argue that the applicant is innocent and he has falsely been implicated in the case. She would submit that charge-sheet has already been filed, the applicant is in jail from 24.02.2026 and the stolen Eeco Car was never seized from his possession. It is further argued that there are 02 criminal antecedents of the present applicant and in one case, he has already been granted bail and in one case, the applicant is languishing in jail. She would pray to allow instant bail application.

4. On the other hand, learned Panel Lawyer appearing for the State/non-applicant would submit that theft of Eeco Car was committed on 17.02.2026 and subsequently, it was used in commission of crime punishable under Sections 126(2), 109, 309(6), 311, 61(2), 310, 111 & 238 of BNS and Sections 25 & 27 of Arms Act. It is argued that on 17.02.2026 itself at about 09:15 pm said stolen Eeco Car was used in robbery of gold ornaments weighing approximately 2.200 kilograms, 350 grams of raw gold, 100 grams of fine gold and cash Rs.3,50,000/- from the victim- Vivek Tiwari who was engaged in business of gold and silver ornaments. She would submit that the stolen vehicle was seized from place of incident. It is argued that during investigation, it was found that the vehicle which was used in commission of robbery, was same vehicle, which was stolen on 17.02.2026. It is also contended that Vivek Tiwari was assaulted with the butt of the pistol and iron rod causing injuries. She would contend that in said crime i.e. Crime No. 219/2026 the applicant herein was granted bail in MCRC No. 7381/2026 on the ground that his name was not mentioned in the F.I.R. and no test identification parade was conducted.

5. It is further argued by learned Panel Lawyer that another Crime No. 11/2026 was registered against the present applicant on 15.02.2026, wherein allegation of theft of motorcycle was made. She would submit that the applicant herein in his memorandum statement admitted commission of theft of motorcycle. It is argued that the applicant has two live criminal antecedents and therefore, the instant bail application may be rejected.

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

7. Having considered the fact that Eeco Car bearing registration No. CG-13-N-0999 was stolen in the intervening night of 16th-17th February, 2026 and subsequently heinous offence of attempt to murder and robbery was committed by the present applicant along with other co-accused and in said offence, he was arrested. He was granted bail in MCRC No. 7381/2026 on the ground that he was not named in the F.I.R. and no test identification parade was conducted, but there is one more criminal case for commission of offence punishable under Sections 303(2), 112(2) and 111 of BNS which was registered on 15.02.2026 and in said case, applicant was arrested on 25.02.2026.

8. Taking into consideration the criminal antecedents of the present applicant, the motive for which the Eeco vehicle was stolen, I am not inclined to release the applicant on regular bail. Accordingly, the bail application of the present applicant is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

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