NIRMALA RAO

CGHC010372642026 2026:CGHC:43643

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8935 of 2026

1 - Ramkumar Pal Alias Ram S/o Shri Basant Pal Aged About 29 Years R/o Ward No. 1 Nawapara Podi Police Station Podi, Tehsil Chirmiri District M.C.B. (C.G.)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through- Station House Officer, Police Station- Podi, District- M.C.B. (C.G.)

--- **Respondent(s)**

MCRC No. 8944 of 2026

1 - Pawan Kumar S/o Ramnath Mishra, Aged About 21 Years R/o Ward No. 1, Nawapara Podi Police Station Podi Tehsil Chirmiri District M C B. C. G.

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through- Station House Officer, Police Station Podi District M. C. B. C. G.

--- **Respondent(s)**

For Applicant/s : Ms. Shruti Yadav, Advocate.
For Non-Applicant/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

8.10.2026

1) Both these applications arise out of the same crime number; therefore, they are being heard and disposed of by this common order. These are the first bail applications of the applicants, filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the applicants, who have been arrested in connection with Crime No.123 of 2026, registered at Police Station Podi, District M.C.B., Chhattisgarh, for the offences punishable under Sections 305(e) and 331(4) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the case of the prosecution, on 2.8.2026, an FIR was lodged by Shiv Kumar Jagat to the effect that some unknown persons had committed theft of one motor pump worth Rs.1,24,419/- from the office of Public Health Engineering Department (PHED), Podi, M.C.B. On the basis of the said complaint, the police registered the offence as stated above.

3. Learned counsel for the applicants submits that, in the present case, the charge-sheet has already been filed and the applicants have been in jail since 5.8.2026. Applicant Ramkumar Pal @ Ram has no criminal antecedents, whereas applicant Pawan Kumar has one criminal antecedent under a preventive measure. She would submit that the applicants have been falsely implicated and that the trial is likely to take considerable time for its conclusion. Therefore, she prays for grant of bail to the applicants.

4. On the other hand, learned counsel for the State opposes the bail applications. She would submit that the applicants committed theft of the motor pump from the office of PHED and that the stolen motor pump was seized at the instance of the present applicants. Therefore, both the applications deserve to be dismissed.

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

6. Having considered the fact that the charge-sheet has already been filed, the applicants have been in jail since 5.8.2026, they have no criminal antecedent of a similar nature, and the trial is likely to take considerable time for its conclusion, without expressing any opinion on the merits of the case, this Court is of the view that the applicants are entitled to be released on bail.

7. It is directed that in the event of the applicants 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, they shall be released on bail on the following conditions:-

> (i) they 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 them from disclosing such fact to the Court,
>
> (ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
>
> (iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial,
>
> (iv) they shall not involve themselves in any offence of similar nature in future.

The observations made hereinabove is for the purpose of deciding these bail applications, the learned trial Court shall decide both the cases on its own merits.

Sd/-
(Rakesh Mohan Pandey)
Judge

Nimmi