CGHC010375632026 2026:CGHC:44229

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9122 of 2026

1 - Aryan Joshi S/o Santdas Joshi Aged About 19 Years R/o Village Peepar Khunta Police Station Lalpur, District Mungeli Chhattisgarh

--- **Applicant(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Lalpur, District Mungeli Chhattisgarh **... Non-applicant**

For Applicant	**:**	Mr. Rahul Ambast, on behalf of Mr. Arjit Tiwari, Advocate.
For Non-applicant	**:**	Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 118/2026, registered at Police Station Lalpur, District Mungeli (C.G.) for the offence punishable under Sections 309(4), 331(6), 111 and 310 of BNS.

1. The case of the prosecution, in brief, is that the complainant, Dhanmin Sahu, lodged an FIR alleging that on 23.07.2026, some unknown persons entered his house and committed theft of gold and silver ornaments and cash amounting to ₹8,000 and ₹9,000.

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On the basis of the complaint, the police registered an FIR on 23.07.2026 against unknown persons. During the course of investigation, the police arrested eight accused persons, out of whom four are juveniles.

2. Learned counsel appearing for the applicant would submit that the applicant has been arrested by the police on suspicion and no incriminating article has been recovered from his possession. He further submits that the charge-sheet has already been filed and the applicant is in jail since 25.07.2026. He, therefore, prays for grant of bail to the applicant.

3. On the other hand, learned State Counsel would oppose the bail application and submit that the police have seized ₹1,000 from the pocket of the present applicant and that the applicant was involved in the commission of the offence. Therefore, he prays for rejection of the bail application.

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

5. Taking into consideration the facts and circumstances of the case, particularly the fact that ₹1,000 was seized from the possession of the applicant, which cannot be conclusively said to belong to the complainant, the applicant has no criminal antecedents, the charge-sheet has already been filed, the applicant has been in custody since 25.07.2026, and the conclusion of the trial is likely to take some time, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

6. Let applicant be released on bail on furnishing a personal bond of Rs. 50,000/- with one surety in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

Sd/-
Rakesh Mohan Pandey
JUDGE

Jyoti