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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9141 of 2026

*** -** Roshan Vishwakarma S/o Shri Sahdev Vishwakarma Aged About 18 Years 3 Months, R/o Dipra Para Kunwa Chowk, Durg, Police Station Mohan Nagar, District Durg (C.G.)

... Applicant

Versus

*** -** State Of Chhattisgarh Through Station House Officer, Police Station Mohan Nagar, District Durg (C.G.)

... Non-Applicant

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-Applicant	:	Ms. Anikita Shukla, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

13/10/2026

1. This is the first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 preferred by the applicant arise out of Crime No. 359/2026 registered at Police Station- Mohan Nagar, District Durg (CG) for commission of offence punishable under Sections 331(4), 305(A) and 3(5) of BNS.

2. As per case of prosecution, complainant namely Gajendra Kaushik lodged an F.I.R. on 27.05.2026 to the effect that on 26.05.2026, some unknown person committed theft of Rs.45,000/- from his shop. On such complaint, the police registered the offence as stated above

against unknown person. During course of investigation, police arrested the present applicant and 03 other co-accused and seized Rs.9,500/- from the pocket of the present applicant.

3. Mr. C.R. Sahu, learned counsel appearing for the applicant would argue that charge-sheet has already been filed, the applicant is in jail from 14.06.2026 and he has 01 criminal antecedent which was registered for commission of offence under Sections 118(1) & 119(1) of BNS in the year 2025. Thus, he would pray for grant of bail.

4. On the other hand, Ms. Ankita Shukla, learned Panel Lawyer appearing for the State/non-applicant would oppose. She would contend that the applicant has 01 live criminal antecedent, Rs.9,500/- was recovered from his pocket which shows active involvement of the applicant in commission of crime. She would submit that the bail application of the applicant deserves to be rejected.

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

6. Having considered the submission made by Mr. C.R. Sahu and the fact that charge-sheet has already been filed, the applicant is in jail from 14.06.2026 and he has 01 criminal antecedent which was registered in the year 2025, without commenting anything on merits of the case, I am inclined to grant bail to the 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/her from disclosing such fact to the Court;

II. He shall not act in any manner which will be prejudicial to a 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 the disposal of the trial; and,

IV. He shall not involve himself in any offence of a similar nature in future.

8. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

9. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti