CGHC010380702026 2026:CGHC:45106

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9152 of 2026

1 - Gaurav Tiwari S/o Shrikant Tiwari Aged About 27 Years At Near J P Chowk Kabir Nagar, H. No. M D S/ 180, P.S. Kabir Nagar, Raipur, Chhattisgarh

... Applicant(s)

versus

1 - State of Chhattisgarh Through S H O P.S. D.D. Nagar District Raipur Chhattisgarh **... Respondent(s)**

For Applicant (s)	:	Mr. Lukesh Kumar Mishra, Advocate
For Respondent(s)/State	:	Ms. Monika Thakur, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

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. 361/2026, registered at Police Station DD Nagar, District Raipur (C.G.) for the offence punishable under Sections 309(4) and 3(5) of BNS.

2. The case of the prosecution, in brief, is that on 06.06.2026, the present applicant, along with four other accused persons, committed robbery and looted a sum of Rs. 10,26,500/- from the complainant, Sravan Sahu, who was working at H.P. Gas Agency, Raipur. The present applicant was apprehended on the basis of CCTV footage, and the other accused persons were implicated in the case on the basis of

memorandum statement of the presnt applicant. Pursuant to the said report, the offences, as stated above, were registered against the applicant.

3. Learned counsel appearing for the applicant would submit that, on the date of the incident, at around 7:00 PM, the applicant was present at Dangania Market and was apprehended on the basis of CCTV footage. He would further submit that a sum of Rs. 2,00,000/- was allegedly seized from the possession of the applicant. He would also contend that no identification parade was conducted. He would further submit that the charge-sheet has already been filed, the applicant has no criminal antecedents, and he is in jail since 09.06.2026. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel would oppose the bail application and submit that the present applicant was involved in the commission of the heinous offence of robbery. She would further submit that the applicant, along with the co-accused persons, looted an amount of Rs. 10,26,500/- from the complainant, Sravan Sahu, and that a sum of Rs. 2,00,000/- was recovered at the instance of the present applicant. She, therefore, prays for rejection of the bail application.

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

6. Taking into consideration the facts and circumstances of the case, particularly the fact that no identification parade has been conducted and the applicant was apprehended on the basis of CCTV footage, and

further considering the fact that he was present at Dangania Market at the relevant time according to the CCTV footage of Dangania Market, and further considering that the applicant has no criminal antecedents, has been in custody since 09.06.2026, the charge-sheet has already been filed, 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**.

7. 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.
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> **(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.
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> **(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.
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> **(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