CGHC010382022026 2026:CGHC:46038

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9505 of 2026

1 - Jaswant Singh Thakur S/o Jitendra Singh Aged About 25 Years R/o Village Piparmar (Turrapara), Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

2 - Dev Sarathi S/o Sujit Sarathi Aged About 25 Years R/o Village Piparmar (Turrapara), Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Applicants

versus

1 - State Of Chhattisgarh Through Station House Officer (S.H.O) P.S. Dharamjaigarh, Distt. Raigarh, Chhattisgarh.

... Non-applicant

For Applicant	**:**	Mr. Ashutosh Biswas, Advocate
For Non-applicant /State	**:**	Mr. Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

30/10/2026

1. The applicants have preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as they

have been arrested in connection with Crime No. 210/2026, registered at Police Station Dharamjaigarh, District – Raigarh (C.G.) for offence punishable under Sections 331(4) and 305(E) of BNS.

2. As per the case of the prosecution, an FIR was lodged by complainant Smt. Swarnlata Xalxo on 29/07/2026 to the effect that some unknown person committed theft of 150 kgs of rice from the fair price shop. During the course of the investigation, the present applicants were taken into custody and the stolen rice was recovered from them. Thereafter, police registered the aforesaid offences against the present applicants.

3. Mr. Ashutosh Biswas, learned counsel for the applicant, would argue that the present applicants are innocent and they have falsely been implicated in the crime in question. He would further submit that though both the applicants have two live criminal antecedents each but they were registered way back in the year 2023. He would lastly submit that the investigation has been completed and charge-sheet has already been filed and the applicants are in jail since 29/07/2026, thus, they be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Mr. Sourabh Sahu, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the stolen rice was recovered from the possession of the present applicants and both the applicants have two live criminal antecedents each which shows that they are habitual

offenders, thus, he would pray for rejection of this bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

6. Taking into consideration the facts and circumstances of the case, particularly that the investigation is complete and charge-sheet has already been submitted; the applicants are in custody since 29/07/2026; and further considering that though each of the applicants has two live criminal antecedents but the said cases were registered way back in the year 2023, this Court, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicants is **allowed**.

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 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.

8. The observation made herein-above is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet