SIDDHANT TAMRAKAR
Digitally signed by SIDDHANT TAMRAKAR
Date: 2026.10.13 17:57:09 +0530

CGHC010383442026 2026:CGHC:44282

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9165 of 2026

- Arvind Yadav S/o Late Lekhan Yadav Aged About 28 Years R/o Village Harrapath, Chowki Sonkyari, Police Station Sanna, District Jashpur Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through Police Station - Kunkuri, District Jashpur Chhattisgarh

... Non-Applicant

For Applicant : Mr. Manoj Kumar Yadav, Advocate
For State : Mr. Jitendra Shrivastava, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13.10.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 85/2026 registered at Police Station Kunkuri, District Jashpur (C.G.), for the offence punishable under Sections 305(a), 331(3), 3(5) of BNS.

2. Case of the prosecution, in brief, is that on 28.04.2026, Smt. Usha Tirkey, Head Mistress of Government Primary School, Pandripani, lodged a report alleging that the school’s submersible pump, valued at ₹ 25,000/- had been stolen between 04.03.2026 and 05.03.2026. During investigation, co-accused Hemant Yadav @ Butul, in his memorandum statement named the present

applicant and other co-accused as associates in the alleged theft. Thereafter, the applicant was arrested on 22.06.2026.

3. Learned counsel for the applicant would contend that two FIRs have been registered against the present applicant on strength of memorandum statement of co-accused. It is further contended that stolen submersible pump was seized on instance of co-accused Hemant Yadav @ Butul, who has already been enlarged on bail in MCRC No. 4826 of 2026 vide order dated 09.07.2026. It is also submitted that the applicant has two criminal antecedents, one was registered in the year 2024 and another was registered on strength of memorandum statement. He would further submit that charge-sheet has already been filed, applicant is in jail since 22.06.2026, therefore, instant application may be allowed.

4. On the other hand, learned counsel for the State would oppose the bail application. Mr. Jitendra Shrivastava, Government Advocate would submit that applicant has two criminal antecedents of similar nature, and therefore, instant application deserves to be rejected.

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

6. Having considered the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant and the fact that one case was registered against the applicant in the year 2024 and second case was registered on strength of memorandum statement of co-accused, charge-sheet has already been filed, applicant is in jail since 22.06.2026, and main accused, on whose instance submersible pump was recovered, has already been granted bail in MCRC No. 4826 of 2026 vide order dated

09.07.2026, I am inclined to allow this bail application.

7. Accordingly, the regular bail application is allowed and 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 from disclosing such fact to the Court;

(ii) he shall not act in any manner which will be prejudicial to 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 disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

$iddhant