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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9379 of 2026

1. Karan Nag S/o Late Shri Ramadhar, Aged About 21 Years R/o. Thelkabod, Badepara Hanuman Mandir Chowk Kanker, Thana - Kanker, Distt. - North Baster Kanker C.G.
2. Ritesh Patel S/o Shri Hemlal Patel, Aged About 21 Years R/o. Thelkabod, Badepara Hanuman Mandir Chowk Kanker, Thana - Kanker, Distt. - North Baster Kanker C.G.
3. Subhash Kuldeep S/o Shri Rakesh Kuldeep, Aged About 25 Years R/o. - Village - Chanwad, Thana And Tahsil - Narharpur, Distt. - North Baster Kanker C.G.

... Applicants

versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Amaboda, Distt. - North Baster Kanker C.G.

... Non-applicant

For Applicant	:	Mr. Sunil Sahu, Advocate
For State	:	Mr. Afroz Khan, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

06/10/2026

1. Applicants have filed this **first bail** application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as they have been arrested in connection with Crime No. 24/2026 registered at Police Station – Amaboda, District North Baster Kanker (C.G.) for offence punishable under Section 303(2), 3(5), 61(2) and 112(2) of Bhartiya Nyaya Samhita, 2023.

2. Case of prosecution in brief is that on 15.07.2026, complainant Ramnayan Sharma lodged a written report at Police Station Amabeda stating that he was

working as a Supervisor with B.B. Verma Engineering and Construction Company, Korba, which had been awarded a contract by the Border Roads Organisation, Government of India, for construction of a bridge over the Sendurmeta drain. A generator provided by the company for the construction work was kept near the main road adjoining the agricultural field of Arjun Jain. On 17.05.2026, the labourers worked at the construction site during the day and, at about 11:30 p.m., checked the construction materials and the generator, which was found at its place. However, on the morning of 18.05.2026, the generator was found missing and tyre marks of a four-wheeler were noticed at the spot. It was suspected that some unknown person had stolen the generator during the night. On the basis of the said report, Crime No. 24/2026 was registered at Police Station Amabeda for an offence under Section 303(3) of the Bharatiya Nyaya Sanhita, 2023, against an unknown person and investigation was taken up. During investigation, on the basis of information received from the informant regarding the involvement of certain persons from the Kanker area, raids were conducted at the residences of Lokesh Nag and applicants. During interrogation, based on their statements, accused persons were arrested including applicants.

3. Learned counsel for applicants submits that the applicants are innocent, they have been falsely implicated in the instant crime. Applicants have been made accused only on the basis of memorandum statement of co-accused Lokesh Nag. He also contended that during investigation, based on the memorandum statement, at the instance of co-accused Lokesh Nag, stolen generator was seized from, in front of petrol pump, Amaboda, Kanker. Investigation has been complete and charge-sheet has been filed. There is no criminal antecedent against applicants, hence, they may be enlarged on bail.

4. On the other hand, learned State counsel opposes the submission of learned counsel for applicants and would submit that according to the memorandum statement of co-accused Lokesh Nag, at his instance the stolen generator has been seized, named all the applicants in commission of aforementioned offence. However, upon asking, he submits that there is no criminal antecedent against applicants.

5. I have heard learned counsel for the parties.

6. Taking into consideration, facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, charge-sheet has been filed trial may take some time, without commenting anything on merits of the case, I am inclined to allow this bail application.

7. Accordingly, bail application is **allowed**. It is directed that the applicants shall be released on regular bail, upon each of them furnishing bail bond in the sum of ₹ 25,000/- with one surety in like sum to the satisfaction of the Court on the conditions that-

(a) The applicants shall file an undertaking to the effect that they 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.

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

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

(d) The applicants 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 applicants are 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 them in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Parth Prateem Sahu)
JUDGE

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