CGHC010388262026 2026:CGHC:46300

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9427 of 2026

1 - Rajesh Sahis S/o Shri Kishan @ Dinesh Sahis, Aged About 21 Years R/o Village - Ward No. 12, Mahendipara, Champa, P.S. - Champa, District Janjgir-Champa (C.G.) **... Applicant(s)**

versus

1 - State Of Chhattisgarh Through District Magistrate, Janjgir, District Janjgir-Champa (C.G.) **... Respondent(s)**

For Applicant (s)	:	Mr. Vikas Shrivastava, Advocate
For Respondent(s)/State	:	Mr. Akash Agrawal, P.L.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

02.11.2026

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. 369/2025, registered at Police Station Champa, District Janjgir Champa (C.G.) for the offence punishable under Sections 305A and 331(4) of BNS.

2. The case of the prosecution, in brief, is that the complainant Ramgopal lodged an FIR alleging that on 08.08.2025, some unknown persons committed theft of a bundle of copper wire, copper scrap and other electrical articles worth approximately Rs. 15,000/-. On the basis of the said complaint, the police registered the above offence. During the course of investigation, the applicant was apprehended and cash amounting to Rs. 500/- was seized from his possession. Upon completion of the investigation, the charge-sheet was filed before the competent Court.

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3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case on the basis of suspicion. No stolen articles were recovered from his possession. He further submits that out of four criminal antecedents, two cases registered during the years 2019 and 2023 are pending consideration. He would further submit that the charge-sheet has already been filed and the applicant has been in judicial custody since 11.09.2025. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the applicant was involved in committing theft of copper wire. He further submits that two criminal cases against the applicant are pending consideration and cash amounting to Rs. 500/- was recovered from his possession. Hence, he 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, the nature of the allegations, particularly the fact that the applicant has two active criminal antecedents, which were registered in the years 2019 and 2023 and further considering the fact that no stolen articles were recovered from his possession, the charge-sheet has already been filed, the applicant has been in judicial custody since 11.09.2025, and the trial is likely to take considerable time for its conclusion, this Court, without commenting on the merits of the case, is inclined to grant regular bail to the applicant. Accordingly, the 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.

(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.

(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.

(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