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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9897 of 2026

- Lokesh Nag S/o Sanjay Nag Aged About 22 Years R/o Gram Pataud P.S. Kanker District Uttar Bastar Kanker Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer S H O. P.S. Sarona, District Uttar Bastar Kanker Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate with Mr. Shalvin Sharma, Advocate
For Respondent-State	:	Mr. Himanshu Yadu, Panel Lawyer

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

26/10/2026

1. Applicant has filed this **first bail** application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 4/2025 registered at Police Station – Sarona, District Uttar Bastar Kanker (C.G.) for offence punishable under Section 303(2) and 3(5) of BNS.

2. Case of prosecution in brief is that on 21.12.2025, complainant, Manoj Soni, a supervisor employed with M/s Devshri Agrotech Pvt. Ltd., Dhamtari, lodged a written complaint at Police Station Sarona, alleging that his firm was executing work on the 132 KV Kanker–Nagri double-circuit transmission line pursuant to instructions from CSPTCL. On 05.03.2025, 16 ACSR Panther conductor wire drums were received from CSPTCL, Raipur, of which nine were placed along

the roadside between Malgaon and Barkai villages and seven between Barkai and Sarvandi villages. Four drums were installed between Barkai and Sarvandi, but the work remained suspended from 17.06.2025 due to the rainy season and standing crops. During an inspection on 03.12.2025, the wires were found intact; however, on 06.12.2025, one drum containing approximately 1,995 kg of ACSR Panther conductor wire, valued at ₹3.5 lakh, was found missing from the roadside between Malgaon and Barkai. Despite a search, the missing wire could not be traced. Based on the report, aforementioned crime was registered against unknown persons. During investigation, the Cyber Cell, Kanker, traced accused Shubham Yadav through tower dump analysis. Upon interrogation, he allegedly disclosed that he and co-accused Lokesh alias Pappu, Bharat Singh Sinha had stolen high-tension conductor wire on three occasions using a Bolero pickup vehicle belonging to Shabbir Shekhani. They allegedly concealed the stolen wire pieces beneath a staircase at a complex in Govindpur, Kanker, by enclosing them within a brick wall. Accused Shubham Yadav was arrested and thereafter applicant was also arrested.

3. Learned counsel for applicant submits that according to the case of prosecution, based on the memorandum statement of co-accused Shubham Yadav, the conductor wire has been seized from the complex of co-accused Sabbir Shekhani, who is owner of that complex. He contended that applicant was working as driver of Shabbir Shekhani and based on the memorandum statement of co-accused, applicant has been made accused. He also contended that in the application, applicant has disclosed one another crime registered against him of the year 2026 of similar nature of offence of stealing of generator, the said generator is also found from the complex of Shabbir Shekhani, employer of applicant and therefore based on the memorandum statement of co-accused, applicant has been made accused in that crime also. Except these, no other crime is registered against him. Applicant is in jail

since 25.07.2026, charge-sheet has been filed, trial may take some time, hence, he may be enlarged on bail. He also pointed out that co-accused Bharat Sinha has been granted bail in MCRC No. 9208/2026 vide order dated 30.09.2026.

4. On the other hand, learned State counsel opposes the submission of learned counsel for applicant. He would further submit that applicant is involved in two crimes of similar nature. He however does not dispute the submission of learned counsel for applicant that applicant is having no criminal antecedent except one as mentioned above and that co-accused Bharat Sinha has been enlarged on bail.

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, 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 applicant shall be released on regular bail, upon furnishing a 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 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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> (b) 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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> (c) 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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> (d) 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.

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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