CGHC010393742026 2026:CGHC:45608

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9544 of 2026

Babulal Sahu S/o Ramlal Sahu Aged About 55 Years R/o Village Jaijaipur, Thana And Tahsil - Jaijaipur, District Sakti (Chhattisgarh)

... Petitioners

versus

ARPAN SRIVASTAVA Digitally signed by ARPAN SRIVASTAVA Date: 2026.10.29 10:57:50 +0530

State Of Chhattisgarh Through The Station House Officer, Police Station - Malkharouda, District - Sakti (Chhattisgarh)

... Respondent

For Petitioner	:	Mr. Umakant Singh Chandel, Advocate
For State/Respondent	:	Ms. Vaishali Mahilong, Dy. G.A.

Single Bench:- Hon'ble Shri Justice Narendra Kumar Vyas
Order On Board

28/10/2026

1. The present is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, ‘the BNSS’), seeking grant of regular bail to the applicant, who was arrested on 10.06.2026 in connection with Crime No. 247/2024, registered at Police Station Malkharoda, District Sakti (C.G.), for the offences punishable under Sections 103(1), 331(8), 309(2), 238, 317(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, ‘the BNS’).

2. The first bail application filed by the applicant, registered as MCRC No. 5967/2026, was rejected on merits vide order dated 08.09.2026.

3. The prosecution case, in brief, is that a Dehati Nalishi was lodged at the instance of the cousin of the deceased, stating that Magan Lal Gabel and Budhwara Bai Gabel were found lying dead in the courtyard of their house, with blood oozing from their bodies. Accordingly, Crime No. 247/2024 was registered against an unknown person. During the course of investigation, the co-accused allegedly disclosed in their memorandum statements that they had committed the murder of the deceased and looted silver anklets weighing 15 tolas and gold weighing 5 grams. The prosecution further alleges that the co-accused melted the looted ornaments and sold them to the present applicant, pursuant to which the applicant was arrested.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. It is contended that the charge-sheet has already been filed on 09.07.2026 and the investigation is complete. The only allegation against the applicant is that she purchased the melted gold and silver ornaments from the co-accused, without any direct allegation of her involvement in the commission of the alleged murders. It is further submitted that the applicant is in judicial custody since 10.06.2026. Considering that the trial is likely to take considerable time, learned counsel prays that the applicant be released on bail.

5. Per contra, learned counsel for the State opposes the bail application and submits that the case involves the murder of two persons and the subsequent looting of their gold and silver ornaments. It is contended that the co-accused allegedly sold the melted ornaments to the present applicant, thereby prima facie connecting her with the crime. On these grounds, the State prays for rejection of the bail application.

6. I have heard learned counsel for the parties and perused the material available on record with due care.

7. Considering the facts and circumstances of the case, the nature of the allegations and the material available on record, it appears that the specific allegation against the applicant is that he purchased the melted gold and silver ornaments from the co-accused. The charge-sheet has already been filed against the applicant for the offence punishable under Section 317(2) of the BNS, and the investigation is complete. The applicant has been in judicial custody since 10.06.2026, as such, this Court is of the considered view that further detention of the applicant is not necessary at this stage. Accordingly, without expressing any opinion on the merits of the case, I am inclined to **allow** the present bail application.

8. Accordingly, the present bail application is **allowed,** and the applicant is directed to be released on bail upon furnishing a personal bond in the sum of **₹25,000/-** with one surety for the like sum to the satisfaction of the concerned Court, for his appearance before that Court as and when directed.

9. Certified copy as per rules.

Sd/-

(Narendra Kumar Vyas)
Judge

Arpan