CGHC010395002026 2026:CGHC:45738

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9585 of 2026

Dinesh Sahu S/o Manu Sahu Aged About 19 Years R/o Rajeev Gandhi Nagar, Mitthumuda, P. S. Jutmil, District Raigarh, Chhattisgarh. **... Applicant**

versus

State of Chhattisgarh Through- Police Station Chakradharnagar District Raigarh Chhattisgarh. **... Applicant**

For Applicant	:	Ms. Shruti Dewangan, Advocate
For Applicant/State	:	Mr. Akash Agrawal, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

1. This is the first bail application filed on behalf of the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, who has been arrested in connection with Crime No. 332/2026, registered at Police Station Chakradhar Nagar, District Raigarh (C.G.), for the alleged commission of offences punishable under Sections 331(4), 305(a), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution story, in brief, is that on 04.07.2026, the complainant lodged a report at Police Station Chakradhar Nagar stating that on 03.07.2026 at about 10:00 PM, he had closed and locked the shutter of his medical store. On the next morning, i.e., 04.07.2026 at around 06:00 AM, upon arriving to reopen the shop, the complainant found both

padlocks broken, the shutter partially raised, and cash amount to ₹4,000/- was found missing. On the basis of said report, an FIR was initially registered against unknown persons for offences under Sections 331(4) and 305(a) of the BNS. During the course of investigation, the applicant along with other co-accused persons was taken into custody and recovered ₹1,000/- from the possession of the applicant.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has falsely been implicated in the instant case. It is contended that the applicant was not named in the initial FIR and his arrest is based solely upon a confessional statement recorded while in police custody. There is no direct, credible, or independent evidence connecting the applicant with the alleged house-trespass or theft. The alleged recovery of a paltry sum of ₹1,000/- is common currency, which was provided to the applicant by his family members as pocket money and cannot be linked to the crime. The earlier bail applications preferred before the learned lower court (Bail Application Nos. 706/2026 and 831/2026) were dismissed as not pressed, and no other bail application is pending before any court. Investigation is complete, the charge-sheet has already been filed, and keeping the applicant in further judicial custody would serve no fruitful purpose; thus, he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and submitted that the applicant is a habitual offender with an active criminal background. It is pointed out that the applicant has three criminal antecedents of similar nature, comprising an active case registered in the year 2024 for offences punishable under Sections 457, 380, and 305 read with Section 34 of the Indian Penal Code, along with two more criminal cases registered in the year 2026. Looking to the

repeated involvement of the applicant in similar offences of house-breaking and theft, he does not deserve to be released on bail.

5. Heard learned counsel appearing for both sides and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations, the specific role attributed to the applicant, and particularly the fact that the applicant has three criminal antecedents of similar nature (one of 2024 and two of 2026) involving offences of theft and house-breaking, showing his active and habitual criminal propensity, this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail. Accordingly, the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on behalf of the applicant is hereby **rejected**.

Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim