CGHC010384612026 2026:CGHC:46591

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9210 of 2026

Rajesh Netam S/o Late Chhotelal Netam Aged About 30 Years R/o Village Bakharupara, Narayanpur, Present Address Ward No. 03, Patel Colony, Dalli Rajhara Police Station Rajhara Distt- Balod (C.G.)

--- **Applicant**

Versus

State Of Chhattisgarh Through P.S. Chhotebethiya Distt- Uttar Bastar Kanker (C.G.)

--- **Respondent(s)**

MCRC No. 9633 of 2026

Rajesh Netam S/o Late Chhotelal Netam Aged About 30 Years R/o Ward No. 3, Patel Colony, Dalli Rajhara, P.S. Rajhara, Distt. Balod, Chhattisgarh.

---**Petitioner(s)**

Versus

State Of Chhattisgarh Through P.S. Bande, Distt. Uttar Bastar Kanker, Chhattisgarh.

--- **Respondent(s)**

For Applicant	:	Mr. Hemant Gupta, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02.11.2026

1. This is the first bail applications filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 03/2026, in MCRC No. 9210 of 2026 registered at Police Station – Chhotebethiya, District - Uttar - Bastar – Kanker (C.G.) for the offence punishable under Sections 303(2), 317(2), 112 (2) & 3(5) of the BNS and and Crime No. 37 of 2026 in MCRC No. 9633 of 2026 registered at Police Station – Bande, District - Uttar - Bastar – Kanker (C.G.) for the offence punishable under Sections 303(2), 317(2) & 3(5) of the BNS.

2. As per the prosecution case, a written report was lodged on 10-02-2026 by the complainant, Budhdev Ojha (Area Supervisor, Jio Tower), alleging that on 15-01-2026, upon inspection of the Jio Tower situated at Mad, Pakhanjur, it was discovered that 72 units of 600-Ah VRLA batteries, comprising three battery banks and valued at approximately ₹5,16,000/-, had been stolen by unknown persons.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the applicant had no role in the alleged theft and has been implicated solely on the basis of the memorandum statement of a co-accused. The only allegation against the applicant is that he had purchased the articles in question, and there is no material on record to suggest that

he had any active or passive role in the commission of the alleged offence. The applicant is a young man aged about 30 years and is the sole earning member of his family. It is further submitted that the charge-sheet has already been filed and that his continued detention would seriously prejudice his future, career and the livelihood of his family. There is no reasonable apprehension that, if released on bail, the applicant would abscond, influence the prosecution witnesses or obstruct the course of justice. Learned counsel further submits that applicant Rajesh Netam has been in judicial custody since 27.07.2026 in MCRC No. 9210 of 2026 and since 24.07.2026 in MCRC No. 9633 of 2026. Therefore, the applicant deserves to be enlarged on regular bail.

4. Per contra, learned State counsel opposes the bail application and submits that the charge-sheet has already been filed in the present case.

5. I have heard learned counsel for the parties and perused the case diary.

6. Having considered the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, the fact that the charge-sheet has already been filed before the competent Court, the applicant's period of judicial custody, and the likelihood that the conclusion of the trial may take some time, this Court is of the considered view that the applicant deserves to be enlarged on regular bail in the present case.

7. It is directed that in the event of the applicants, on each of them executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction

of the concerned trial Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b)he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-

(**Rakesh Mohan Pandey**)
JUDGE

Saurabh