CGHC010389772026 2026:CGHC:46316

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9582 of 2026

Khattab Ali Mansuri @ Babu Khan S/o Late Kallu Khan Aged About 40 Years R/o Ward No. 10, Aamanala Haldibadi, P.S. And Tehsil - Chirmiri, District Manendragarh-Chirmiri-Bharatpur (M.C.B.) Chhattisgarh

--- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Chirmiri, District Manendragarh-Chirmiri-Bharatpur (M.C.B.) Chhattisgarh

--- **Respondent(s)**

MCRC No. 9703 of 2026

Raj Basor S/o Shankar Lal Basor, Aged About 19 Years Resident Of Village-Pipariya, Police Station -Anuppur, (M.P.) Present Address -Haldibadi, Chirmiri. Police Station And Tahshil -Chirmiri, District M.C.B. (C.G.)

--- Applicant

Versus

State Of Chhattisgarh Through Police Station And Tahshil -Chirmiri, District M.C.B. (C.G.)

--- **Respondent(s)**

For Respective Applicants	:	Ms. Ranjana Jaiswal, Advocate with Mr. Shivam Agrawal, Advocate
For Non-Applicant	:	Mr. Sharad Mishra, P.L.

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 applicants who have been arrested in connection with Crime No. 340/2026 registered at Police Station : Chirmiri, District : Manendragarh-Chirmiri-Bharatpur (C.G.) for the offence punishable under Sections 303 (2) and 3 (5) of BNS.

2. As per the prosecution story, on 10.09.2026, a written complaint was lodged by the complainant, Gajraj Singh, Security In-charge at SECL Colony, Chirmiri (NCPH), stating that on 10.09.2026, while he was on duty at R-5 Mahesh Mines Yard, approximately 50 meters of old armoured cable (50 mm), valued at approximately Rs. 30,000/-, was found to have been stolen. On the basis of the aforesaid complaint, FIR No. 340/2026 was registered at Police Station Chirmiri under Sections 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, the police allegedly arrested the co-accused persons and, on the basis of their memorandum statements, implicated the present applicant in the alleged offence. The allegedly stolen material was also seized by the police. The applicant was arrested on 12.09.2026 and subsequently remanded to judicial custody. A copy of the FIR is annexed herewith and marked as Annexure A/2.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. The applicants have been implicated solely on the basis of the memorandum statements of the co-accused persons, and no specific overt act has been attributed to them. It is further submitted that the

alleged stolen articles have already been seized by the police and, therefore, no further recovery is required from the applicants. The applicants were arrested on 12.09.2026 and have been in judicial custody since then. It is also submitted that the applicants are permanent residents of the locality, there is no likelihood of their absconding or tampering with the prosecution evidence, and the trial is likely to take considerable time to conclude. Therefore, it is prayed that the applicants may kindly be enlarged on bail.

4. Learned counsel appearing on behalf of the State opposes the bail applications and submits that both the applicants have criminal antecedents, with one criminal case registered against each of them in the year 2023. Therefore, considering their criminal antecedents and the nature of the allegations levelled against them, the bail applications of the applicants be rejected

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

6. Having heard learned counsel appearing for the parties and upon perusal of the case diary, this Court finds that the applicants are in judicial custody since 12.09.2026. It appears that the applicants have been implicated in the present case primarily on the basis of the memorandum statements of the co-accused persons. Further, the alleged stolen articles have already been seized by the police, and no further recovery is required to be made from the applicants. Although learned counsel for the State has opposed the prayer for bail on the ground that both the applicants have one criminal antecedent each pertaining to the year 2023, considering the facts and circumstances of the case, the nature of the allegations, the period of custody and the

fact that the alleged stolen property has already been recovered, this Court is of the considered opinion that further detention of the applicants is not warranted. Accordingly, without expressing any opinion on the merits of the case, this Court is inclined to allow the bail applications.

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