CGHC010402582026 2026:CGHC:46779

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9782 of 2026

1 - Sunny Gupta @ Sunny Bihari S/o Daroga Gupta Aged About 19 Years R/o Newai Basti Near Water Tank Ward No. 33 P.S. Newai District Durg (C.G.). (Particulars Of The Applicants Are Not Properly Mentioned In The Cause Title Of The Impugned Order)

2 - Kishan Yadav S/o Hiraman Yadav Aged About 19 Years R/o Surya Nagar Maroda Basti Ward No. 21 P.S. Newai District Durg (C.G.). (Particulars Of The Applicants Are Not Properly Mentioned In The Cause Title Of The Impugned Order)

... Applicants

Versus

State Of Chhattisgarh Through S.H.O. Police Station Utai, District - Durg (C.G.)

... Respondent(s)

For Applicants	:	Ms. Priya Sharma, Advocate
For Non-Applicant	:	Ms. Laxmin Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04.11.2026

1. This is the first bail application filed under under Section 483 of

the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.249 of 2026 registered at Police Station: Utai District Durg, Chhattisgarh for the offence punishable under Sections 303 (2), 111 and Section 3 (5) of BNS.

2. That the complainant, namely, Kripa Shankar Tiwari, lodged a report on 15.05.2026, stating that he is working with Jio Company and that a Jio Tower has been installed at Gram Panchayat Patora. On 14.05.2026, he was informed by other workers that the network of the aforesaid tower was not functioning. Upon reaching the spot, he found that approximately 280 metres of RRH cable and 500 metres of Cepery cable were missing. On the basis of the aforesaid complaint, FIR No. 249/2026 was registered. During the course of investigation, the police arrested the present applicants, recorded their memorandum statement and, pursuant thereto, recovered L.K.G. copper cable from his possession.

3. Learned counsel for the applicant submits that the applicants are innocent and have been falsely implicated in the present case. It is further submitted that the applicants have no connection with the alleged theft of the cables and have been arrested merely on the basis of an alleged memorandum statement and the recovery of L.K.G. copper cable. The applicants have been in judicial custody since 16.05.2026. The applicants undertake to cooperate with the investigation and trial and to abide by all the terms and conditions that may be imposed by this Hon'ble Court. It is,

therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to enlarge the applicants on bail in the interest of justice.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that applicant No. 1 has two criminal antecedents and applicant No. 2 has one criminal antecedent of a similar nature. It is, therefore, submitted that the bail application deserves to be dismissed.

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

6. Having considered the facts and circumstances of the case, particularly the fact that there are criminal antecedents involving allegations of a similar nature against the applicants, I am not inclined to enlarge the applicants on bail.

7. Accordingly, the bail application filed on behalf of the applicants is rejected.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Saurabh