CGHC010402712026 2026:CGHC:4579

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9636 of 2026

1 - Tushar Mali S/o Mishri Lal Aged About 19 Years (Wrongly Mentioned As Mishreelal) R/o Village Narval, P.S. Narval, District Ujjain, Madhya Pradesh

--- **Applicant**

versus

1 - State Of Chhattisgarh Through S H O, Police Station Balod, District Balod Chhattisgarh

--- **Non-applicant**

MCRC No. 9796 of 2026

1 - Tushar Mali S/o Mishri Lal Aged About 19 Years R/o Village Narval, P.S. - Narval, District - Ujjain, Madhya Pradesh.

---**Applicant**

Versus

1 - State Of Chhattisgarh Through Sho, Police Station Arjunda, District - Balod, Chhattisgarh.

--- **Non-applicant**

MCRC No. 9905 of 2026

1 - Tushar Mali S/o Mishri Lal Mali Aged About 19 Years R/o Village Narwal, P.S. Narwal, District Ujjain, Madhya Pradesh.

---Applicant

Versus

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

--- **Non-applicant**

MCRC No. 9670 of 2026

1 - Tushar Mali S/o Mishri Lal, Aged About 19 Years R/o Village Narval, P.S. Narval, District Ujjain, Madhya Pradesh.

---Applicant

Versus

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

--- Non-applicant

For Applicant	**:**	Mr. Shikhar Bhaktiyar, Advocate
For Non-applicant /State	**:**	Mr. Dharmesh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

1. As all these bail applications under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 have been preferred by the same applicant which arise out of different crime numbers ie. Crime Nos. 268/2026; 278/2026; 279/2026 registered at Police Station- Balod, District Balod (CG) and Crime No. 89/2026 registered at Police Station- Arjunda, District Balod (CG) for commission of offence punishable under Sections 303(2), 3(5), 112(2) and 317(2) of BNS, therefore, they are being disposed of by this common order.

2. As per the case of the prosecution, a complaint was made by the complainant namely Dinesh Yadav to the effect that in the intervening night of 26/05/2026 and 27/05/2026, some unknown persons broke into the fuel tanks of the parked trucks and stole approximately 320 liters of diesel. On the basis of the said complaint, an FIR was initially registered against unknown persons for the alleged offences. Thereafter, five more FIRs were filed by different complainants with regard to commission of the same offence. During the course of investigation, the police apprehended accused persons, namely Sonu Balmiki, Dharamraj Harijan, Tushar Mali (present applicant), and Rahul Chandel, who allegedly confessed to having committed the theft of diesel. It is further the case of the prosecution that the aforesaid persons used to deliver the stolen diesel to co-accused Ganesh Sao, who in turn allegedly sold the said diesel to co-accused Virendra Singh.

3. Mr. Shikhar Bhaktiyar, learned counsel appearing for the applicant, would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that co-accused Virendra Singh, on similar allegations as the present applicant, has already been enlarged on bail by this Court vide order dated 07/10/2026 passed in MCRC/8498/2026 and other connected matters. He would lastly submit that the applicant has no previous criminal antecedents, the charge-sheet has already been filed and the applicant has been in judicial

custody since 17/06/2026, and since the conclusion of the trial is likely to take considerable time, the applicant may be enlarged on regular bail.

4. On the other hand, Mr. Dharmesh Shrivastava, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the present applicant along with co-accused persons committed theft of diesel from different vehicles on different dates. Subsequently, they were arrested on 17/06/2026 and on their instance, 450 liters of diesel was also seized. Thus, this bail application is liable to be rejected.

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

6. Having considered the facts and circumstances of the case, nature of the offence and the role of the present applicant, further considering that applicant has no previous criminal antecedens, charge-sheet has already been filed and he is in judicial custody since 17/06/2026 and the conclusion of the trial is likely to take some time, and also considering that co-accused Virendra Singh has already been enlarged on bail by this Court vide order dated 07/10/2026 passed in MCRC/8498/2026 and other connected matters, without commenting on the merits of the matter, this Court is inclined to enlarge the applicant on regular bail. Accordingly, these bail applications are **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

   (i) 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,

   (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. The observation made hereinabove is for the purpose of deciding these bail applications only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet