CGHC010403372026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9793 of 2026

Adarsh Toppo S/o Late Jaipal Toppo Aged About 20 Years R/o Bichpara, Phundurdihari P.S. Gandhinagar, Distt- Surguja (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Station Gandhinagar, Distt- Surguja (C.G.)

.. Non-Applicant(s)

For Applicant	:	Mr. Poshan Kumar Sahu, Advocate.
For Non-Applicant/State	:	Mr. Dharmesh Shrivastava, Dy. Adv. Gen.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

04/11/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 187/2026, registered at Police Station Gandhinagar, District Surguja (C.G.), for the offences punishable under Sections 309(6) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that on 05.04.2026, the complainant Ashok Toppo went to Gudihari Bazar on a scooty belonging to its owner Abhishek Singh for purchasing vegetables. After returning from the market, when he reached near Shivdhari Pond, the accused persons, namely, Sahid Ansari and the present applicant, called him and asked him to go to Braham Road for some work. When the complainant refused to give them the scooty, the accused persons, in furtherance of their common intention, assaulted him with hands, fists, kicks and sticks and forcibly snatched away the scooty and one Samsung mobile phone from him and fled away from the spot. Thereafter, on the basis of the complaint lodged by the complainant on 08.04.2026, the police registered the alleged offences against the present applicant and the co-accused.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that no article has been seized from the exclusive possession of the present applicant and he has been made an accused in the present case only on the basis of the memorandum statement of the co-accused. He is in jail since 28.04.2026. It is further submitted that the charge-sheet has already been filed before the competent Court and the applicant has no criminal antecedents. He would also submit that the trial is likely to take some time to conclude. Thus, he prays for grant of

bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the present applicant, along with the co-accused, assaulted the complainant and forcibly snatched away his scooty and Samsung mobile phone and thus, the allegations against the applicant are serious in nature and the present applicants have named in the FIR. Therefore, the bail application deserves to be dismissed.

5. I have heard learned counsel for the parties and perused the case diary and material available on record.

6. Having considered the facts and circumstances of the case, nature and gravity of offence alleged against the applicant and further considering the fact that the applicant is in jail since 28.04.2026, he has no criminal antecedents, no stolen article has been recovered from the possession of the applicant, the charge-sheet has already been filed and the trial is likely to take some time to conclude, thus, without further commenting upon the merits of the case, I am inclined to grant bail to the applicant.

7. Accordingly, the bail application of the applicant is **allowed**. 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 the 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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal