CGHC010405132026 2026:CGHC:47264

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9743 of 2026

1 - Abhishek Prajapati S/o Bhaskar Prajapati Aged About 18 Years R/o Village Dumartoli Tehsil Bagicha Thana - Bagicha Dist. Jashpur C.G.

...Applicant(s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station - Bagicha Dist. - Jashpur C.G. **... Respondent(s)**

For Applicant (s)	:	Mr. Sanjay Agrawal, Advocate
For Respondent(s)/State	:	Mr. Kanwaljeet Singh Saini, Dy. G.A.

Hon'ble Mr. Justice Rakesh Mohan Pandey

Order on Board

17.11.2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 197/2026, registered at Police Station Bagicha District Jashpur (C.G.) for the offence punishable under Sections 305(A), 331(4) and 3(5) of BNS.

2. The case of the prosecution, in brief, is that on 22.08.2026, complainant Zaid Ali lodged a report against unknown persons alleging that during the intervening night of 21.07.2026 and 22.07.2026, some unknown persons broke the lock of his shop and committed theft of 93 sets of mobile phones and cash amounting to Rs.12,000/-. It was also alleged

Digitally signed by JYOTI JHA
Date: 2026.11.18 11:56:22 +0530

that the CCTV camera was damaged. On the basis of the said complaint, the police registered an FIR for commission of the aforementioned offences. During the course of investigation, the police apprehended the present applicant along with other accused persons and recovered 13 stolen mobile sets at the instance of the present applicant.

3. Learned counsel appearing for the applicant submits that the applicant has no criminal antecedents. He would further submit that the charge-sheet has already been filed and the applicant is in jail since 23.07.2026. He, therefore, prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the present applicant was involved in the commission of theft and that stolen articles were recovered at his instance. He, therefore, prays for rejection of the bail application.

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

6. Taking into consideration the facts and circumstances of the case, particularly the fact that 13 stolen mobile sets have already been recovered at the instance of the present applicant and other co-accused persons, and further considering that the applicant has no criminal antecedents, has been in custody since 23.07.2026, the charge-sheet has already been filed and the conclusion of the trial is likely to take some time, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

7. Let applicant be released on bail on furnishing a personal bond of Rs.

50,000/- with one surety in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

Sd/-
(Rakesh Mohan Pandey)
Judge

Jyoti