CGHC010407672026 2026:CGHC:47041

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9857 of 2026

Naveen Kumar Kashyap S/o Ramdayal Kashyap, Aged About 35 Years R/o 366, Balgi Shanti Nagar, Balgi Project, Korba, Police Station - Korba District Korba (C.G.)

... Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Koni, District Bilaspur (C.G.)

... Respondent(s)

For Applicant	:	Ms. Divya Sahu, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05.11.2026

1. This is the first bail application filed under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.119/2026, registered at Police Station Koni, District Bilaspur (C.G.) for the offence punishable under Sections 303 (2) & 3 (5) of BNS.

2. The case of the prosecution, in brief, is that the complainant lodged a written report at the police station concerned alleging therein that the driver of the vehicle bearing registration no.CG10BS9548, namely Vikas Yadaw informed the complainant over the phone that due to mechanical failure he parked the vehicle in front of Jai Tata Motors, Sendri and slept in the vehicle at about 02:00 A.M. The driver wake up on 28.03.2026 at about 3:15 AM and found that the diesel tank cap was opened and approximately 270 liters of diesel had been stolen by unknown persons. On the basis of the said report, the police registered the offence and commenced investigation. During investigation, statements of the prosecution witnesses were recorded and the spot inspection was carried out. During the course of search for the absconding accused, information was received that in connection with Crime No. 368/2026 registered at Police Station Sirgitti, the accused persons, namely Amit Kumar Bhardwaj, Sanjay Kumar Kurre and Manishankar Kurre, were interrogated and in the memorandum statement, the accused admitted their guilt. On the basis of the said memorandum statements, the present accused was arrested in the instant crime number.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant was arrested solely on the basis of suspicion and the memorandum statement of a co-accused, whereas the FIR was registered against some unknown

persons. He further submits that the applicant has been in custody since 22.06.2026 and that the trial is likely to take considerable time to conclude. Therefore, he prays that the applicant may also be released on regular bail.

4. Per contra, learned State counsel opposes the bail application and submits that the applicant has a total of 10 criminal antecedents of a similar nature, out of which 7 have been disposed of resulting in acquittal, while 3 cases are still pending, pertaining to the years 2025 and 2026. Thus, the applicant is a habitual offender and is not entitled to be released on bail.

5. I have heard learned counsel for the parties and perused the documents available on record.

6. Having considered the facts and circumstances of the case, particularly the fact that the applicant has three criminal antecedents pertaining to the years 2025 and 2026 and that there are serious allegations against him, I am not inclined to release the applicant on bail.

7. Accordingly, the bail application is rejected.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Saurabh