CGHC010411052026 2026:CGHC:45417

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1767 of 2026

Manish Kumar Patel S/o Umashankar, Aged About 28 Years R/o Village Bajrang Para Temar, P. S. Sakti C.G.

... Applicant (s)

versus

State Of Chhattisgarh Through Police Of Police Station Sakti, Distt. Sakti C.G.

... Respondent(s)

For Applicant	:	Mr. Ishwar Jaiswal, Advocate
For State	:	Mr. Varunendra Mishra, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

27/10/2026

1. Applicant has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.157 of 2024 registered at Police Station- Sakti, District- Sakti (CG) for offence punishable under Section 379 of IPC.

2. Case of the prosecution, in brief, is that the complainant, Gurudev Choudhary, lodged a written complaint at the

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concerned police station alleging therein that the upper portion of a hand pump installed by the Public Health Engineering Department (PHE) on the main road of the village near Bajrang Para was stolen by the applicant. On the basis of the said written complaint, an FIR bearing Crime No. 157/2024 was registered against the applicant. The applicant apprehends his arrest in connection with the aforesaid crime.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the crime. He has not committed any such offence. Allegation of theft is of 02.04.2024. However, no attempt is made to interrogate the applicant on the allegation. Subsequently, name of applicant is also implicated in the crime. There is no other criminal antecedent of applicant, hence, he may be extended benefit of anticipatory bail.

4. On the other hand, learned counsel for the State opposes the submission of learned counsel for the applicant and further submits that farari panchnama is prepared by the police showing applicant absconding. However, upon putting specific query with regard to date of preparation of panchnama, he submits that it is dated 12.10.2026.

5. At this stage, learned counsel for the applicant also submits that he has enclosed copy of panchnama of Village Panchayat as Annexure A-3, wherein, it is mentioned that all the articles alleged to have been stolen were recovered.

6. I have heard learned counsel for the parties and perused the

documents available on record.

7. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, nature of allegation, there is no criminal antecedent of applicant, without expressing any opinion on the merits of the case, I am inclined to allow the present application.

8. Accordingly, application is allowed and it is directed that in the event of arrest of applicant in connection with the aforesaid crime, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned arresting officer. Applicant shall also abide by the following conditions :-

> "(i) that the applicant shall remain available for interrogation before the Investigating Officer as and when required;
>
> (ii) the applicant 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 facts to the Court or to any police officer."

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen