CGHC010418802026 2026:CGHC:45936

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10274 of 2026

1 - Shiva Verma S/o Late Arun Verma Aged About 25 Years R/o Near Bijali Office Bajarang Para Police Chowki Silyari P.S. Dahrsiwa Distt- Raipur (C.G.)

2 - Rajendra Savra S/o Late Gopal Savra Aged About 25 Years Near Bijali Office Silyari P.S. Dahrsiwa Distt- Raipur (C.G.)

... Applicants

versus

1 - State Of Chhattisgarh Through Station House Officer, Ghudhiyari Distt- Raipur (C.G.) **... Non-applicant**

For Applicants	:	Mr. Vijay Shankar Mishra, Advocate
For Non-applicant	:	Ms. Laxmeen Kashyap, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

30.10.2026

1) This is the Second bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as they have been arrested in connection with Crime No. 512/2025, registered by the Police Station, Gudhiyari, Raipur District Raipur (C.G.) for the offence punishable under Section 305, 331(2) and 3(5) of BNS. Earlier

first bail application of the applicant bearing MCRC No.7731 of 2026 was rejected on merits vide order dated 28.09.2026.

2) The prosecution story, in brief, is that the complainant lodged a report at the concerned Police Station stating that, on the date of the incident, unknown persons had entered the shop and committed theft of cash amounting to Rs.2,00,000/- and a mobile phone. On the basis of the complaint lodged by the complainant, the police registered a case under Sections 331(2), 305 and 3(5) of the B.N.S. against unknown persons. During the course of investigation, the police arrested the present applicants on the basis of the memorandum statements.

3) Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the present case. It is further submitted that the applicants were arrested merely on the basis of the memorandum statements and no incriminating article has been recovered from their possession. It is also submitted that the investigation is complete and the applicants are in custody since 22.06.2026. It is contended that the first bail application of the applicant was rejected on merits in MCRC No. 7731 of 2026 vide order dated 28.09.2026. Therefore, he prays for grant of bail to the applicant.

4) On the other hand, learned counsel for the State opposes the bail application and submits that applicant No.1 has three criminal antecedents, whereas applicant No.2 has one criminal antecedent under the IPC of the year 2023. He further submits that in the present case, an amount of Rs.1,200/- was seized from applicant No.1 and Rs.800/- was seized from applicant No.2. It is further submitted that, in their respective memorandum statements, the applicants have admitted that they had committed the theft. She would contend that the

first bail application of the applicant was rejected on merits and there is no substantial change in circumstances warranting reconsideration of the prayer for bail. Therefore, the applicant is not entitled to be enlarged on bail.

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

6) Having considered the facts and circumstances of the case, particularly the fact that applicant No.1 has three and applicant No.2 has one criminal antecedent, all relating to theft; the seizure of an amount of Rs.1,200/- from applicant No.1 and Rs.800/- from applicant No.2; and the fact that the applicants, in their respective memorandum statements, admitted their involvement in the alleged offence, this Court finds no ground to grant them bail. Though the charge-sheet has been filed, the criminal antecedents of the applicants and the material collected during investigation cannot be overlooked. Further, the first bail application of the applicants was rejected on merits by a detailed order passed in MCRC No.7731 of 2026, and they have failed to demonstrate any substantial change in circumstances or any fresh ground warranting reconsideration of the earlier order. Having regard to the nature and gravity of the allegations and the overall facts and circumstances of the case, this Court is not inclined to grant bail to the applicants. Accordingly, the bail application is **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha