



CGHC010419862026 2026:CGHC:46281

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10320 of 2026

Rohit Mittal S/o Late Subhash Mittal Aged About 37 Years R/o Agrasen Colony, Vikas Nagar Gali No. 01, Thana City Kotwali District Raigarh Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer P.S. Jute Mill Raigarh, Distt. Raigarh Chhattisgarh

... Respondent

For Applicant	:	Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Vikram Sharma, Advocate
For Respondent-State	:	Mr. Avinash Singh, Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

02.11.2026

1. Applicant has filed this **first bail application** under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 490/2026 registered at Police Station –Jute Mill, District- Raigarh, (C.G.) for offence punishable under Section 318(4), 336(3), 338, 340(2), 61(2), 3(5), 111 of BNS, 2023 and Section 42(1), 41(2)(c)(d) and 52(1) of Indian Forest Act, 1927.

2. Case of prosecution in brief is that, Shri Sanjay Lakda, Forest Range Officer, Forest Division Raigarh submitted a written complaint dated 02.09.2026 stating that on the basis of an information received from an informer, the team of the Forest Department, Raigarh conducted a raid at about 04.30 at the godown of one Naresh Agrawal situated at Jamtikra (Gadhumariya), which was taken on rent by the applicant, wherein illegal storage of logs of Khair and Tendu species cut from the nearby forest areas was stored and brought there by tractors and pickup vehicles. Further the case of the prosecution is that during the said raid a truck bearing registration No. CG15DV7577 was found in the godown loaded with 42 logs of Tendu species measuring 1.731 cubic metre, and further 146 logs of Tendu and Khair species measuring 6.741 cubic metre, 9 stacks of firewood, one weighing machine, two axes, one hammer and one cutter machine were found in the godown, all of which were seized on the spot by the Forest Department on 05.05.2025 itself. A transit pass of the State of Odisha bearing No. 0134827/B/2153/56 dated 30.04.2025 was sent by the applicant through the chowkidar of the godown, which did not bear the signature of the issuing Forest Range Officer, and that on verification made by the Divisional Forest Officer, Raigarh from the Range Officer, Narsinghnath Forest Range, Bargarh Forest Division, Odisha was reported that the said transit pass had not been issued by that office, and the same alleged to be forged. Based upon the aforementioned, crime was registered against the present applicant and he was arrested on 02.09.2026.

3. Learned counsel for applicant submits that applicant has been falsely implicated in the crime. He has not committed any offence as alleged.

He further submits that according to the case of prosecution applicant was possessing the godown owned by one Naresh Mittal astenant, from where upon searching the team seized the cutting machine, an axe and 42 number of wood logs measuring 1.731 cubic metre. He further submits that it is the case of prosecution that the applicant has forwarded the T.P., which upon verification was found to be forged and fabricated. There is no material to suggest that the applicant has forwarded such T.P. of the wood to be forged. But according to the case of prosecution it is submitted by third person. Applicant is in jail since 04.09.2026. No further custodial interrogation is required, hence he may be enlarged on bail. He lastly submits that applicant has been implicated in another crime of similar nature only after the arrest in present case.

4. On the other hand, learned counsel for State opposes the submission made by learned counsel for the applicant and submits that Tendu and Khair wood logs seized from the godown possessed by the applicant and after recovering of the wood logs and other articles from the godown, applicant has submitted forged and fabricated transporting permit. Upon asking as to what material is collected by Police during investigation to suggest that the T.P. is submitted by applicant, he would submit that according to the proceedings it is appearing that one person Abrar driver present in the premises has handed over the T.P. through whatsapp and upon further putting query he submits that the said person(driver) is not an accused in this case. He submits that there is no other material available. He lastly submits that crime is under investigation and charge-sheet is yet to be filed.

5. I have heard learned counsel for the parties and perused the documents enclosed along with the bail application.

6. Taking into consideration the facts and circumstances of the case, nature of allegation, submission made by learned counsel for the applicant, pre-trial detention of applicant and also considering the fact that no furhter custodial interrogation may be required in this case, without commenting anything on the merits of the case, I am inclined to allow this application.

7. Accordingly, bail application is **allowed**. It is directed that the applicant shall be released on regular bail, upon furnishing a bail bond in the sum of ₹ 25,000/- with one surety in the like sum to the satisfaction of the Court on the conditions that-

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

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)

Alfiza **JUDGE**