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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 120 of 2026

Mersai @ Meru S/o Anil Rajwade Aged About 25 Years R/o Baikunthpur,
Police Station And Tehsil Baikunthpur, District Koriya C.G. (Description
Mentioned As Per Charge Sheet) **... Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police
Station Manendragarh, District Manendragarh-Chirmiri-Bharatpur C.G.
...Non-applicant

For Applicant : Mr. Anil Kumar Gulati, Advocate

For Non-Applicant/State : Mr. Sourabh Sahu, Panel Lawyer,

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

24.02.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 187/2025 registered at Police Station – Manendragarh, District Manendragarh-Chirmiri-Bharatpur (C.G.), for the offences punishable under Sections 303(2) of the BNS 2023.



2. The prosecution story in brief is that an FIR was lodged by Bhupat Singh at Manendragarh Police Station alleging, inter alia, that he was posted as a Teacher at Primary School, Belbahara, and that on 01.04.2025 between 10:00 PM and 11:00 PM, some unknown person stole his motorcycle bearing Registration No. CG-16/CG-8167, valued at approximately Rs.30,000/-. On the basis of the said report, the police registered an offence under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, acting upon a memorandum statement, the police intercepted the applicant while he was allegedly driving the said motorcycle on Main Road NH-43 and returning from Manendragarh to Baikunthpur. Upon being stopped and questioned regarding the vehicle, the applicant allegedly disclosed that he had stolen the motorcycle, whereupon the vehicle was seized in accordance with law and further investigation was undertaken.
3. It is respectfully submitted that the present applicant is innocent and has been falsely implicated in the instant case. A false seizure memo has allegedly been prepared by the police solely to implicate the applicant in a fabricated criminal case, and the applicant is confident that he will ultimately be acquitted of the charges levelled against him. It is further submitted that due to his previous criminal antecedent, he has been unnecessarily roped into the present offence without any credible evidence. The charge sheet has already been filed and the applicant has been in judicial custody since 08.11.2025; considering that the trial is likely to take a considerable period for conclusion, his continued incarceration would serve no useful purpose. The applicant craves leave of this Hon'ble Court to raise additional grounds at the time of hearing, and being a permanent resident of the address



mentioned in the cause title, there is no likelihood of his absconding.

He undertakes to furnish adequate surety and to abide by all terms and conditions that may be imposed by this Hon'ble Court while granting regular bail.

4. On the other hand, learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed in the case. It is further submitted that, apart from the criminal cases disclosed by the applicant in the bail petition, he is involved in two more criminal cases. In view of his criminal antecedents and overall criminal background, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and further taking into account that the charge-sheet has already been filed before the competent Court and that the applicant has remained in jail since 08.11.2025, and as the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.
7. Let the Applicant – **Mersai @ Meru**, involved in Crime No. 187/2025 registered at Police Station – Manendragarh, District Manendragarh-Chirmiri-Bharatpur (C.G.), for the offences punishable under Sections 303(2) of the BNS 2023, be released on bail on his furnishing **personal bond with two local sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-



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(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.

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

Sd/-

(Ramesh Sinha)
Chief Justice