



2026:CGHC:3562



2026:CGHC:3562

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 766 of 2026

Bhupesh Pradhan S/o Loknath Pradhan Aged About 22 Years R/o Village Thakurpali, Police Station And Tehsil- Basna, District : Mahasamund, Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through - Station House Officer, Police Station Basna, District – Mahasamund, Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Preetam Singh, Advocate, on behalf of Mr. Kishore Narayan, Advocate.

For Non-applicant/State : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 254/2025, registered at Police Station – Basna, District – Mahasamund (C.G.) for the offence punishable under Sections 303(2), 305 and 3(5) of the BNS.
2. The case of the prosecution, is that on 30.06.2025 the complainant parked his motorcycle Pulsar NS Bike (CG06HB7768) in front of his house and went inside to sleep. Next morning when he got outside of



his house, he could not find his bike (CG06HB7768) on which he made a complaint to the concerned Police Station and a FIR was registered against unknown person. Further, in course of investigation in a different crime number 206/2025 of Police Station Saraipali (Distt. Mahasamund) under Section 303(2), 3(5) the present applicant in his memorandum statement told the Police about the theft of the Pulsar NS bike (CG06HB7768) of the complainant in the instant FIR after which the applicant was formally arrested. Hence, this application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there is one criminal antecedent registered against the present applicant which is pending. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 03.09.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there is one criminal antecedents registered against the present applicant which is pending, and the charge-sheet has been filed in this case. It is further submitted that the applicant has committed the crime of theft of motorcycle of the complainant, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the



fact that there is only one criminal antecedents registered against the present applicant which is pending, charge-sheet has been filed against the applicant, the applicant is in jail since 03.09.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Bhupesh Pradhan**, involved in Crime No. 254/2025, registered at Police Station – Basna, District – Mahasamund (C.G.) for the offence punishable under Sections 303(2), 305 and 3(5) of the BNS, be released on bail on his furnishing **a personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(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.



2026:CGHC:3562

(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**

Rajshekhar