



2026:CGHC:3026



2026:CGHC:3026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 629 of 2026**

Umakant Kale S/o Kunjram Kale, Aged About 34 Years R/o Gevra Basti,
Thana Kusmunda, District- Korba (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through Police Station Ratanpur, District- Bilaspur
(C.G.)

... Respondent(s)

For Applicant(s) : Mr. Vikas Kumar Pandey, Advocate.

For Respondent(s) : Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****19/01/2026**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 529/2024 registered at Police Station – Ratanpur, District- Bilaspur (C.G.), for the offence punishable under Section 303(2), 3(5) fo BNS.



2. Case of the prosecution, in brief, is that on 07.08.2024, the complainant Nilesh Kashyap, Manager of Shiva Road Lines, lodged an oral report stating that an unknown person had committed theft of about 80 litres of diesel from a trailer parked in front of his office. On the basis of the said report, the police registered an FIR against an unknown person and initiated investigation. During the course of investigation, a co-accused was identified and arrested. On the basis of the memorandum statement of the co-accused, the present applicant was implicated in the case, alleging his involvement in the commission of the said offence. Hence, the bail application.
3. Learned counsel for the applicant submits that the first bail application of the applicant was rejected by this Court on merits vide order dated 19.09.2025, therefore this second bail application is filed on the ground that the applicant is in jail since 12.06.2025, hence, he prays for releasing the applicant on regular bail.
4. On the other hand, learned State counsel opposes the bail application and submits that the applicant is involved in theft of 80 liters of diesel and has been implicated in the case solely on the basis of memorandum statement of co-accused during the course of investigation, further the applicant has 04 criminal antecedents under the IPC, out of which, 03 cases are of identical nature, which shows that the applicant is a habitual offender, as such, bail application of the applicant is liable to be rejected.
5. I have heard learned counsel for the parties and perused the case diary.



6. From perusal of the records, it transpires that this is the second bail application of the applicant and first bail application of the applicant was rejected by this Court vide order dated 19.09.2025 in MCRC No. 7577 of 2025 on the ground that the applicant has 04 criminal antecedents, out of which, 03 cases are of identical nature, which itself shows that the applicant is a habitual offender and the ground raised by counsel for the applicant in present bail application that the applicant is in judicial custody since 12.06.2025, but on a pointed query being made to counsel for the applicant regarding the status of said 03 cases, he submits that all the said 03 cases are still pending against the applicant, as such, there appears to be no new ground to entertain the present second bail application of the applicant.
7. Accordingly, the second bail application of the applicant - **Umakant Kale**, involved in Crime No. 529/2024 registered at Police Station – Ratanpur, District- Bilaspur (C.G.), for the offence punishable under Section 303(2), 3(5) fo BNS, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and concluded the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice