



2026:CGHC:3022



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 638 of 2026**

Sheshnarayan Sahu S/o Late Jeevan Sahu Aged About 28 Years R/o Village Ranka, Police Station Bemetara, District Bemetara, C.G. At Present Kunra, P.S. Dharsiva, District : Raipur, Chhattisgarh

... Applicant**versus**

State of Chhattisgarh Through - Station House Officer, Police Station-Dharsiva, District : Raipur, Chhattisgarh.

... Non-applicant

For Applicant : Mr. Pradeep Rathore, Advocate

For Non-applicant/State : Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.01.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 499/2025, registered at Police Station : Dharsiwa, Raipur, District-Raipur (C.G.) for the offence punishable under Sections 331, 305 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that the complainant lodged a report at the concerned police station alleging that on the date of the incident, unknown persons unlawfully entered the premises of



Godawari Power and Ispat Limited and committed theft of approximately 18 tons of sponge iron belonging to the said company. On the basis of the said complaint, the police registered an offence under Sections 331, 305 and 3(5) of the Bharatiya Nyaya Sanhita against present applicant along with other co-accused. Hence, the present bail application.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that nothing has been seized from the possession of the present applicant. He further submits that similarly situated co-accused persons, namely, Ashok Yadav, Prakash Yadav and Ajay Singh have already been granted bail by this Court vide orders dated 14.01.2026, 09.01.2026 and 02001.2026 in MCRC Nos. 457/2026, 229/2026 and 9060/2025 respectively. He also submits that the applicant has no criminal antecedents, and he is in jail since 16.10.2025, the charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant on the ground of parity.
4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed, but could not dispute the fact that co-accused persons have already been granted bail by this Court and the case of the present applicant is identical to that of the co-accused.
5. I have heard learned counsel appearing for the parties and perused the case diary.



6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 16.10.2025, the fact that though the present applicant and other co-accused were committed the said crime, but other co-accused persons, namely, Ashok Yadav, Prakash Yadav and Ajay Singh have already been granted bail by this Court vide orders dated 14.01.2026, 09.01.2026 and 02001.2026 in MCRC Nos. 457/2026, 229/2026 and 9060/2025 respectively, and the case of present applicant is identical to that of the co-accused person, further the applicant has no criminal antecedents, the charge-sheet has been filed in the present case, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is **allowed**. Let the applicant, **Sheshnarayan Sahu**, involved in Crime No. 499/2025, registered at Police Station : Dharsiwa, Raipur, District- Raipur (C.G.) for the offence punishable under Sections 331, 305 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing **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.

(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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**