



2026:CGHC:9519

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 830 of 2026**

Nitesh Sahare S/o Dinesh Sahare Aged About 26 Years R/o Kunduru
Para Balod, Roshan Nagar, Ward No. 20, P.S. And Distt. Balod,
Chhattisgarh.

--- Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer, P.S. Balod, Distt.
Balod, Chhattisgarh.

--- Non-applicant(s)

For Applicant : Ms. Aditi Singhvi, Advocate.

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

MCRC No. 1055 of 2026

Krishnagiri Goswami S/o Murli Giri Goswami Aged About 22 Years R/o
Village Ranitarai, P.S. And Distt. Balod Chhattisgarh

---Applicant(s)**Versus**

State Of Chhattisgarh Through Police Station Balod, District Balod
Chhattisgarh

--- Non-applicant(s)

For Applicant : Mr. Shudanshu Kumar Singh, Advocate.

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

MCRC No. 841 of 2026

Nitesh Sahare S/o Dinesh Sahare Aged About 26 Years R/o Kunduru Para Balod, Roshan Nagar, Ward No. 20, P.S. And District Balod, C.G.

---**Applicant(s)**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-Balod, District Balod, C.G.

--- **Non-applicant(s)**

For Applicant	: Ms. Aditi Singhvi, Advocate.
For Non-applicants/State	: Ms. Monika Thakur, Panel Lawyer.

MCRC No. 1060 of 2026

Krishnagiri Goswami S/o Murli Giri Goswami Aged About 22 Years R/o Village- Ranitarai, P.S. And Distt.- Balod, Chhattisgarh.

---**Applicant(s)**

Versus

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

---- **Non-Applicant(s)**

For Applicant	: Mr. Shudanshu Kumar Singh, Advocate.
For Non-applicants/State	: Ms. Monika Thakur, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

24/02/2026

1. Since all these bail applications are the first bail application of the respective applicants, arising out of similar incidents registered at Police Station Balod District-Balod, though under different crime numbers, they are being heard and decided by this common order.
2. The relevant particulars with respect to the applicants in the bail applications are as under:

M.Cr.C.No.	Name of the applicant	Police Station	Crime Numbers	Offence under sections	Date of arrest
MCRC No. 830/2026	Nitesh Sahare	Balod	535/2025	305(A)326(A), 331(4) of BNS.	18.12.2025
MCRC No. 1055/2026	Krishnagiri Goswami	do/-	544/2025	305, 331(4) of the BNS.	19.12.2025
MCRC No. 841/2026	Nitesh Sahare	do/-	544/2025	305, 331(4), 3(5) of the BNS	18.12.2025
MCRC No. 1060/2026	Krishnagiri Goswami	do/-	535/2025	305(A), 326(A), 331(4) and 3(5) of the BNS.	19.12.2025

3. Case of the prosecution in brief:

In MCRC No. 830/2026- On 09.12.2025, the complainant was informed that the lock of his pump house had been broken by some unknown person and the belongings were found in a disarranged condition. When the complainant reached the spot, he found that items worth Rs. 3,000/- had been stolen by unknown persons. Thereafter, he went to the police station and an FIR was lodged by the concerned police personnel against unknown persons. During the course of investigation, the memorandum statement of the accused was recorded, pursuant to which stolen copper wire was

seized from his possession. Based on the same, the aforesaid offences were registered against the applicant/accused along with the co-accused.

In **MCRC No.1060/2026-** On 09.12.2025, the complainant was informed that the lock of his pump house had been broken by some unknown person and the belongings were found in a disarranged condition. When the complainant reached the spot, he found that items worth Rs. 3,000/- had been stolen by unknown persons. Thereafter, he went to the police station and an FIR was lodged by the concerned police personnel against unknown persons. During the course of investigation, the memorandum statement of the accused was recorded, pursuant to which stolen copper wire was seized from his possession. Based on the same, the aforesaid offences were registered against the applicant/accused along with the co-accused.

In **MCRC No. 841/2026-** The prosecution story, in brief, is that on 30.10.2025, when the complainant reached his pump house at about 9:00 AM, he found that the lock of the pump house had been broken. Upon inspection, the complainant found that items worth Rs. 45,000/- had been stolen. Thereafter, he went to the police station on 17.12.2025, and an FIR was lodged by the concerned police personnel against unknown persons. During the course of investigation, the memorandum statement of the accused was recorded, pursuant to which the motorcycle used in the commission of the offence was recovered from the possession of the accused.

In **MCRC No. 1055/2026-** The complainant, Vijay Kumar, lodged a

report at the concerned Police Station stating that his agricultural lands are situated in Village Kohangatota, where he has a pump house for irrigation purposes. It is alleged that some unknown persons broke open the lock of the pump house and stole parts of the tractor PTO shaft, a CCTV camera, agricultural tools, and cable wire. During the course of investigation, the memorandum statement of the applicant was recorded, pursuant to which an iron farsa and a knife, alleged to have been used in the commission of the aforesaid offence, were seized from his possession.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that the FIR was initially lodged against unknown persons and the applicants have been implicated only on the basis of suspicion while they were already in custody in connection with another case. It is further submitted that the police authorities have forcibly obtained the memorandum statements of the applicants and have shown false seizures and no stolen articles such as tractor parts, CCTV camera, agricultural tools or cable wire have been recovered from their possession. It is also submitted that on the basis of a single memorandum, separate cases have been registered against both the applicants without any independent evidence. The FIR itself was lodged with considerable delay and the applicants have not participated in the alleged offence in any manner. The applicants are young persons and have been in judicial custody since December 2025 and the trial is likely to take considerable time to conclude therefore, they pray for grant of bail.

5. Learned State counsel opposes the bail applications and submits that the applicants are involved in a series of theft cases relating to pump houses, wherein valuable articles including copper wire, tractor parts, agricultural tools and other materials have been stolen. It is submitted that during the course of investigation, memorandum statements of the applicants were recorded and pursuant thereto incriminating articles, including stolen copper wire and the motorcycle used in the commission of the offence, as well as weapons such as an iron farsa and knife, have been recovered from their possession. It is further submitted that separate crimes have been registered on the basis of distinct incidents and recoveries, which prima facie establish the involvement of the applicants in the aforesaid offences. The applicants are habitual offenders and are already involved in other similar cases, and therefore there is every likelihood of their repeating such offences if released on bail. Considering the nature and gravity of the offences and the material collected during investigation, the applicants are not entitled to be released on bail.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, particularly the fact that the FIRs were initially lodged against unknown persons, the applicants have been implicated mainly on the basis of memorandum statements and no substantial stolen articles have been recovered from their possession, as well as the fact that the applicants are in judicial custody since December 2025 and the

trial is likely to take considerable time to conclude, this Court is of the opinion that the applicants are entitled to be released on bail.

8. Accordingly, the bail applications of the applicants are **allowed**.
9. Let the Applicants- **Nitesh Sarare** and **Krishnagiri Goswami**, involved in Crime Nos. as detailed in paragraph No. 2 above, registered at Police Station Balod, District Balod for the offence as detailed in paragraph No. 2 above, be released on bail on their furnishing a **personal bond** with **two sureties (each)** in respect of each cases, in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fails to appear before the court on

the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are deliberated 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 them in accordance with law.

10. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Ramesh Sinha)
Chief Justice