



GOURI
MUDALIAR

Digitally signed by
GOURI
MUDALIAR
Date: 2026.02.27
11:12:34 +0530



2026:CGHC:10033

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1380 of 2026

Deepak Soni S/o Narayan Soni Aged About 28 Years R/o Bag, Tahsil Kukshi,
District Dhar (M.P.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kondagaon, District Kondagaon (C.G.)

... Respondent

For Applicant	: Shri Amit Singh Chauhan, Advocate.
For	: Shri Shailendra Sharma, PL.
Respondent/State	

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

26/02/2026

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.67/2024 registered at Police Station Kondagaon, District-Kondagaon (C.G.) for the offence punishable under Sections 457, 380, 411/34 of Indian Penal Code (as per charge).

2. Case of the prosecution, in brief, is that complainant lodged report before Police Station- Kondagaon. It is alleged that on 21.02.2024, he went to Mardapal for attending the marriage ceremony and when he returned back to his house he found that the lock of the house was broken and Almira was opened and Gold Ornament 03 piece, Mangal Sustra 01 Piece, Ear Tops 02 pair, Gold Ring 02 piece, Gold Chain 01 piece, Gold ornament 01 piece, Silver Bangle 10 piece, Kardhan 02 pair, Pyle 02 pair about silver amount of Rs.40,000/- total 20 pieces coins and cash amount of Rs.1,20,000/- total amount to Rs.5,60,000/- has been stole by unknown persons. On the basis of the complaint, the aforesaid offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that this is the second bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 18/09/2024 in MCRC No.6408/2024. He would submit that out of 15 prosecution witnesses only evidence of 5 prosecution witnesses have been recorded, the applicant is in jail since 18/03/2024 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application. He would submit that the applicant has four criminal antecedents in the State of Madhya Pradesh, therefore he is not entitled to be released on bail.
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 the first bail application of the applicant was rejected by this Court on merits vide order dated 18/09/2024 in MCRC No.6408/2024. Considering the fact that out of 15 prosecution witnesses only evidence of 5 prosecution witnesses have been recorded, applicant has four criminal antecedents in the State of Madhya Pradesh but considering the fact that the applicant is in jail since 18/03/2024 and trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the second bail application is allowed and it is directed that the Applicant- **Deepak Soni**, involved in Crime No.67/2024 registered at Police Station Kondagaon, District-Kondagaon (C.G.) for the offence punishable under Sections 457, 380, 411/34 of Indian Penal Code, be released on bail on his furnishing a **personal bond** with **two local 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. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible preferably within a period of **six months** from the date of receipt of this order in accordance with law, if there is no legal impediment.
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