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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1562 of 2026**

Bambam Shah S/o Shyam Prasad Aged About 51 Years R/o Lakshmipur,
District- Katihar (Bihar)

... Applicant**versus**

State of Chhattisgarh Through The Station House Officer, P.S. Jagdalpur,
District- Bastar (C.G.)

... Non-Applicant

For Applicant : None.

For Non-Applicant/State : Dr. Sourabh Pandey, Deputy Advocate General.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****25.02.2026**

1. None appears on behalf of the applicant to press this application when the case is called out, however, with the assistance of the learned State counsel, this Court proceeds to hear and decide this bail application.
2. 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. 242/2025, registered at Police Station – Jagdalpur, District- Bastar, (C.G.) for the offence punishable under Sections 318(4), 3(5), 336(3), 336(4), 338 and 340(2) of Bharatiya Nyaya Sanhit, 2023.
3. As per the prosecution story, in brief, the complainant lodged an FIR against unknown persons alleging that on 30.06.2025 at about 1:00 PM,



two individuals came to his house. Under the pretext of cleaning utensils as well as gold and silver items, they fraudulently took gold jewellery belonging to his sister, Jaya Jain, and fled from the spot. On the basis of the complaint, a crime under Sections 318(4) and 3(5) of the BNS was registered against the unknown accused, and investigation was initiated. At the time of the incident, the complainant was away from home. His younger sister, Jaya Jain, informed him over the phone that at approximately 1:05 PM, two men came to their house promoting a product for cleaning and polishing utensils. They were wearing shirts and pants and stated that they had come to promote their utensil-cleaning product. They asked to see the household utensils and cleaned the utensils that were given to them. Thereafter, they stated that they also clean gold and silver items. Upon hearing this, Jaya Jain gave them three gold bangles and one gold ring from the house for cleaning. The two men placed all the gold items inside a tiffin box and asked her to heat the closed tiffin box. She took the tiffin box to the gas stove and heated it as instructed. After some time, when she opened the tiffin box, the gold bangles and ring were missing. When she went outside to look for the two men, she found that they had fled on a red and black motorcycle. The approximate value of the stolen gold bangles and ring is Rs.1,50,000/-.

4. It has been pleaded in the bail application that the applicant is innocent and has been falsely implicated in this case. The applicant has three previous criminal antecedents of the similar nature in which he is on bail. The applicant is in jail since 12.08.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
5. The learned State counsel opposes the bail application of the applicant and submits that the charge-sheet has been filed. He further submits that the applicant has three previous criminal antecedents of the similar



nature, hence he is not entitled for grant of bail.

6. I have heard learned counsel for the parties and perused all of the documents available on record.
7. Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and the fact that the applicant has three previous criminal antecedents of the similar nature in which he is on bail, and the applicant is in jail since 12.08.2025, the charge-sheet has been filed in this case, and the conclusion of the trial is likely to take some time, this Court is of the view that the applicant is entitled to be granted regular bail in this case on the ground of parity.
8. Accordingly, the bail application is **allowed**. Let applicant - **Bambam Shah**, involved in Crime No. 242/2025, registered at Police Station – Jagdalpur, District- Bastar, (C.G.) for the offence punishable under Sections 318(4), 3(5), 336(3), 336(4), 338 and 340(2) of Bharatiya Nyaya Sanhit, 2023, 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 she 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 her counsel. In case of her absence, without sufficient cause, the trial court may proceed against her under



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Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 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 her in accordance with law.

9. 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**