



2026:CGHC:18418



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2283 of 2026

Satyanarayan Soni @ Jhallu Soni S/o Shri Pancham Lal Aged About 65 Years Caste-Soni, R/o Kotma, Police Station And Tehsil - Kotma, District - Anuppur (M.P.).

... Applicant

versus

State of Chhattisgarh Through Police Station - Kelhari, District - Manendragarh-Chirmiri-Bharatpur, Chhattisgarh.

... Non-Applicant

For Applicant	: Mr. Hemant Kumar Agrawal, Advocate
For Non-Applicant/State	: Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

22.04.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 18/2024 registered at Police Station-Kelhari, District - Manendragarh-Chirmiri-Bharatpur, (C.G.) for the offence punishable under Sections 380, 457, 34 of the Indian Penal Code, 1860.
2. The prosecution story, in brief, is that the complainant Sanjeev Kumar submitted a written complaint before Police Station Kelhari



stating that a BSNL tower is situated at Village Ghagra under the said police station, and on 07.03.2024, some unknown persons, after cutting the fencing wire of the said tower, committed theft of 22 cells valued at approximately Rs.1,60,000/-. On the basis of the said complaint, Police Station Kelhari registered an offence under Sections 380, 457 and 34 of the IPC, and during the course of investigation, the main accused Akhilesh Dubey along with the present applicant was arrested. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the present case. It is further submitted that the FIR was initially registered against unknown persons with a delay of about one month, which creates serious doubt over the prosecution story. It is further submitted that the main accused has already been granted bail by the learned trial Court, however, the applicant's bail was rejected only on the ground of criminal antecedents, most of which have already been disposed of which are explained in the covering memo of the bail application, and therefore, on the ground of parity, the applicant is also entitled to be released on bail. It is further submitted that the applicant is a 65-year-old poor and sick person and is running a small dhaba at Kotma Barrier, District Anuppur (M.P.), near the adjoining district of Manendragarh-Chirmiri-Bharatpur (C.G.), and due to inability to meet illegal demands of certain police officials, he has been falsely implicated in the present case. It is further submitted that the applicant was arrested after a considerable delay of nearly two years from the alleged date of



incident i.e. 07.03.2024. It is further submitted that the prosecution story is concocted and based on false and baseless allegations, and no incriminating material or evidence has been brought on record to establish the guilt of the applicant. It is further submitted that the charge-sheet has already been filed which is taken on record, the applicant is in jail since 02.01.2026, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel opposes the present bail application and submits that the charge-sheet has not been submitted before the competent Court. She further submits that the applicant is involved in the present offence of theft committed after house-breaking and the stolen property has been recovered during the course of investigation. It is further submitted that the applicant has as many as 15 criminal antecedents, which shows that he is a habitual offender, therefore, the applicant is not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case and the submissions made by learned counsel for the parties, though the applicant is alleged to have committed the offence of theft and is having criminal antecedents, but the said antecedents have been duly explained in detail in the covering memo filed by the learned counsel for the applicant, and it is also noteworthy that the main



accused has already been enlarged on bail by the trial Court.

Further, considering that the applicant is a 65-year-old person and is in jail since 02.01.2026, the charge-sheet has been submitted before the competent Court which is taken on record, and the trial is likely to take some time, therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Satyanarayan Soni @ Jhallu Soni**, involved in Crime No. 18/2024 registered at Police Station- Kelhari, District - Manendragarh-Chirmiri-Bharatpur, (C.G.) for the offence punishable under Sections 380, 457, 34 of the Indian Penal Code, 1860, be released on bail on furnishing **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. 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