



2026:CGHC:10524



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1397 of 2026

Aman @ Rehant Sheikh S/o Faiyyaj Sheikh, Aged About 22 Years R/o
Keror Road, Building No. 01, Pipe Line P.S. Kurla Mumbai Maharashtra

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station New
Rajendra Nagar, Raipur, District Raipur C.G.

... Non-Applicant(s)

For Applicant : Mr. Rekhraj Baghel, Advocate.

For Non-Applicant/State : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

28/02/2026

1. This is the First bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the applicant who has been arrested in connection with Crime No. 199/2025 registered at Police Station- New Rajendra Nagar District- Raipur (C.G.), for the offence punishable under Sections 331(3), 305, 3(5) of BNS.
2. Case of the prosecution, in brief, is that the complainant lodged a missing/theft report at the concerned police station stating that on the date of the incident, unknown persons entered the



complainant's house by breaking the lock and committed theft of silver and gold ornaments, a mobile phone and some cash amount. On the basis of the complaint made by the complainant, the police registered a case under Sections 331(3), 305 and 3(5) of the Bharatiya Nyaya Sanhita (BNS) against unknown persons. During the course of investigation, the police arrested the present applicant on the basis of his memorandum statement.

3. Learned counsel for the applicant submits that the present applicant is an innocent person and has not committed any of the offences alleged against him. It is further submitted that the applicant has been implicated in the present case only on the basis of the memorandum statement of the co-accused, which is false and baseless and no incriminating material has been seized from his possession. He further submits that there are no ingredients of the offences punishable under Sections 331(3), 305 and 3(5) of the Bharatiya Nyaya Sanhita (BNS) made out against the present applicant and the prosecution has not collected sufficient material regarding the alleged theft. It is also submitted that the applicant did not act in the manner alleged by the prosecution and on the basis of the material available on record, no prima facie case is made out against him. He further submits that other co-accused persons have already been granted bail by this Court and on the ground of parity, the present applicant is also entitled to be released on bail.
4. On the other hand, learned State counsel opposed the prayer for grant of bail and submitted that the allegations against the present applicant are serious in nature. It is submitted that during the course



of investigation, gold and silver ornaments have been recovered from the possession of the applicant, which directly connect him with the commission of the alleged offence. The said recovery constitutes material evidence and clearly indicates the involvement of the applicant in the crime. It is further submitted that though the charge-sheet has been filed before the competent Court, the applicant has three criminal antecedents of similar nature and as such, he is a habitual offender. Considering the gravity of the offence, the recovery of stolen articles from his possession and his criminal antecedents, she submits that the applicant is not entitled to the benefit of bail at this stage.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact and circumstances of the case, nature and gravity of offence, recovery made from the applicant, period of detention of the applicant since 06.10.2025 and the fact that in the present case, charge-sheet has been filed before the competent Court and the applicant has three previous criminal antecedent of similar nature which has been explained through covering memo and no further interrogation is required and the trial is likely to take some time for its conclusion, therefore, without further commenting anything merits, I am inclined to grant bail to the applicant.
7. Accordingly, the bail application of the applicant is **allowed**.
8. Let the applicant – **Aman @ Rehant Sheikh**, involved in Crime No. 199/2025 registered at Police Station- New Rajendra Nagar



District- Raipur (C.G.), for the offence punishable under Sections 331(3), 305, 3(5) of BNS, 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.

9. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal