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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1400 of 2026**

Mohammad Ujer Khan @ Uji S/o Usman Khan, Aged About 27 Years R/o Village Singar PS Bichhor District Newat Nuhoo (Hariyana)

**--- Applicant****versus**

State Of Chhattisgarh Through- Police Station - Kawardha, District – Kabirdham (Chhattisgarh)

**--- Non-applicant****Along with****MCRC No. 893 of 2026**

Mohammad Ujer Khan @ Uji S/o Usman Khan Aged About 27 Years R/o Village Singar PS Bichhor District Newat Nuhoo (Hariyana)

**---Applicant****Versus**

State Of Chhattisgarh Through- Police Station - Kawardha, District – Kabirdham (Chhattisgarh)

**--- Non-applicant****Along with****MCRC No. 2207 of 2026**

Mohammad Ujer Khan @ Uji S/o Usman Khan, Aged About 27 Years R/o Village Singar P.S. Bichhor District- Newat Nuhoo (Hariyana)

**---Applicant****Versus**

State Of Chhattisgarh Through- Police Station - Kawardha, District – Kabirdham (Chhattisgarh)

**---- Non-applicant**

|                         |                                       |
|-------------------------|---------------------------------------|
| For Applicant           | : Mr. Vijay Shankar Mishra, Advocate. |
| For Non-applicant/State | : Ms. Palak Dwivedi, Panel Lawyer.    |

**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****10.04.2026**

1. 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 Nos. 156/2025, 20/2025 and 165/2025, registered at Police Station –



Kawardha, District – Kabirdham (C.G.) for the offence punishable under Sections 303(2) and 112 of BNS, Sections 303(2), 112 and 3(5) of BNS and Sections 309(4) and 311 of BNS.

2. The case of the prosecution in **MCRC No.1400/2026**, is that A written application was submitted by the complainant, Vinod Kumar Dhritlahare, at Kawardha Police Station, stating that on the night of April 13, 2025, an unknown person stolen his dump truck, bearing registration number CG 04 MQ 7477, from behind Holy Cross School in Kawardha. Based on this complaint, a case was registered against an unknown person, and an investigation was initiated. To locate the unknown accused and the vehicle, checkpoints were set up based on CCTV camera footage from the city and information obtained from the cyber cell, including CDR (Call Detail Records) and tower location data. During the checkpoint operation, a dump truck was observed being driven at high speed by the accused. When ordered to stop, the driver did not comply and fled, abandoning the truck near a field. Upon searching the area, the police apprehended the accused, Mohammad Umer Khan and Mohammad Mused. Upon questioning, the accused confessed that they, along with their accomplices Raunak, Mohammad Samim, and Mohammad Jameel, had stolen the dump truck from Bemetara on the basis of memorandum statement police has registered the aforesaid offence against the applicant.
3. The case of the prosecution in **MCRC No.893/2026**, is that The complainant, Vijay Patel, lodged a report at Kawardha Police Station on January 16, 2025, stating that his driver, Jayprakash Khande, informed him over the phone that on October 15, 2025, he had parked



his sand-laden tipper truck, bearing registration number CG 09 AS 0443, in Transport Nagar, Kawardha, at 7:00 AM, and that the truck was now missing. Upon searching, the complainant and the driver could not locate the vehicle, and it was suspected that an unknown thief had stolen the said tipper truck. Based on the complainant's report, a case was registered against an unknown accused at Kawardha Police Station under Crime Number 20/2025, sections 303(2) and 112 of the Indian Penal Code, and an investigation was initiated, during the investigation police has arrested the applicant and recorded the memorandum statement as per memorandum statement registered the aforesaid offence against the applicant & other co-accused.

4. The case of the prosecution in **MCRC No.2207/2026**, is that on 23.04.2025 at about 04:30 AM, the complainant Jwala Prasad Tandon reported that while he was starting his motorcycle in front of his house to go to his sugarcane field, two unknown persons suddenly approached him from Barabaspur Road. It is alleged that one accused caught hold of the complainant and removed the motorcycle key, while the other threatened him with a sharp-edged knife by placing it on his stomach, pushed him to the ground, and both accused fled towards Dabra Path after forcibly taking away his motorcycle. On the basis of the said report, a criminal case was registered. During investigation, on the memorandum statements of the accused persons in Crime No. 156/2025 under Section 303(2) BNS, it was alleged that the offence was committed by showing a knife and looting the Honda Shine motorcycle bearing No. CG-09-ZB-1143. Subsequently, the motorcycle



was allegedly recovered from applicant/ accused Ujer @ Ujji Khan, and the knife allegedly used in the offence was recovered from accused Mused Khan.

5. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there are no criminal antecedents of the applicant beside these three cases. It is further submitted that the charge-sheet has been filed in these cases. The applicant is in jail since 24.04.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
6. On the other hand, the learned State counsel opposes the bail application and submits that there are no criminal antecedents of the applicant beside these three cases, and the charge-sheet has been filed in this case. It is further submitted that in MCRC No.1400/2026 and in MCRC No.893/2026, the applicant is said to have committed theft of trucks of the complainants Vinod Kumar Dhritlahare and Vijay Patel and in MCRC No.2207/2026, the applicant is said to have committed the theft of motorcycle of the complainant Jwala Prasad Tandon, and the applicant is not entitled for grant of bail.
7. I have heard learned counsel for the parties and perused all of the documents available on record.
8. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that though in MCRC No.1400/2026 and in MCRC No.893/2026, the applicant is said to have committed theft of trucks of the complainants Vinod Kumar Dhritlahare and Vijay Patel and in MCRC



No.2207/2026, the applicant is said to have committed the theft of motorcycle of the complainant Jwala Prasad Tandon, but there are no criminal antecedents of the applicant beside these three cases and charge-sheet has been filed against the applicant, furthermore, the applicant is in jail since 24.04.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

9. Let applicant, **Mohammad Ujer Khan @ Ujji**, involved in Crime Nos. 156/2025, 20/2025 and 165/2025, registered at Police Station – Kawardha, District – Kabirdham (C.G.) for the offence punishable under Sections 303(2) and 112 of BNS, Sections 303(2), 112 and 3(5) of BNS and Sections 309(4) and 311 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



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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.

10. 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**

Rajshekhar