



2026:CGHC:10266



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1920 of 2026**

Kaushal Joshi S/o Anto Prashad Joshi Aged About 21 Years R/o Vill
Malgaon Thana Bakawand Distt. Bastar C.G.

--- Applicant(s)**versus**

State Of Chhattisgarh Through Police Station- Kotwali Distt. Bastar
(C.G.)

--- Respondent(s)

For Applicant(s) : Mr. Vikash A. Shrivastava, Advocate

For Respondent(s) : Ms. Vaishali Mahilang, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****27.02.2026**

1. The applicant has preferred this First Bail Application under Section 483 of The Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail, as he has been arrested in connection with Crime No.56/2025, registered at Police Station- Kotwali, District- Bastar (C.G.) for the offence punishable under Sections 305, 331(4), 317(2) & 112(2) of the BNS.



2. As per the prosecution case, the complainant, Kumari Akanksha Das, lodged an FIR stating that due to the ill health of her mother, she along with her mother had gone to Bhilai on 16.10.2024 for medical treatment. On 17.11.2024, she briefly returned home to clean the house and found everything in order. Thereafter, on 18.11.2024, she again went back to Bhilai. Subsequently, on 10.02.2025, when she returned home, she found that the cupboard was broken and the lock of a tin box was also found broken. Upon checking, she discovered that gold ornaments including three gold necklaces (purchased 10-15 years ago), two gold bangles, two gold chains, seven gold rings, one locket, four pairs of gold earrings and some small gold lockets, weighing approximately 15 tolas and valued at about Rs.1,60,000/-, along with cash amounting to Rs. 30,000/-, were missing. Despite searching, the articles could not be traced. She suspected that some unknown person had committed theft of the said gold ornaments and cash. On the basis of the said report, the aforementioned crime was registered and taken up for investigation. During the course of investigation, the present applicant came to be arrested.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that nothing has been seized from the possession of the applicant. The applicant is in jail since 12.03.2025, the applicant has six criminal antecedents,



out of which, in five cases, applicant has been granted bail by the trial Court and in one case he has been granted bail by this Court vide order dated 13.02.2026 in MCRC No.1593 of 2026, further charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. Learned counsel appearing for the State/non-applicant opposes the bail application and submits that the applicant allegedly involved in the commission of theft of gold ornaments weighing about 15 tolas, valued at approximately Rs.1,60,000/-, along with cash of Rs.30,000/-, from the house of the complainant during her absence, and that he was arrested in connection with the said offence during the course of investigation. So far as criminal antecedents of the applicant are concerned, applicant has six criminal antecedents of the year 2025. Therefore, the applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 12.03.2025, the fact that though the applicant allegedly involved in the commission of theft of gold ornaments weighing about 15 tolas, valued at approximately Rs.1,60,000/-, along with cash of Rs.30,000/-, from the house of the complainant during



her absence, and that he was arrested in connection with the said offence during the course of investigation, but considering the fact that the applicant has six criminal antecedents of the year 2025, out of which, in five cases, applicant has been granted bail by the trial Court and in one case he has been granted bail by this Court vide order dated 13.02.2026 in MCRC No.1593 of 2026, further the charge-sheet has been filed in the present case, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the application is **allowed**.
8. Let applicant, **Kaushal Joshi**, involved in Crime No.56/2025, registered at Police Station- Kotwali, District- Bastar (C.G.) for the offence punishable under Sections 305, 331(4), 317(2) & 112(2) of the BNS, be released on bail on his furnishing **a personal bond** with **two 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

Akhil