



2026:CGHC:13013



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1683 of 2026**

Anil Kale S/o Shri Apaso Kale Aged About 44 Years R/o Village Ramsagar Para, Korba, Police Station- Korba, District- Korba (C.G.)

--- Applicant**versus**

State of Chhattisgarh Through District Magistrate, Janjgir, District- Janjgir-Champa (C.G.)

--- Non-Applicant**Along with****MCRC No. 2067 of 2026**

Sameer Chauhan S/o Shri Kishan Lal Chauhan Aged About 20 Years R/o Village Teena Dafai Ratakhar, Korba, Tahsil Korba, Distt. Korba (C.G.)

--- Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Champa, District- Janjgir-Champa (C.G.)

--- Non-Applicant

For Applicants : Mr. Vivek Kumar Shrivastava, Advocate

For Non-Applicant/State : Ms. Anusha Naik, Deputy Govt. Advocate

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****18.03.2026**

1. Since the above-mentioned two first bail applications arise out of same incident, same crime number and registered at same police station, they are clubbed and heard together and are being disposed of by this common order.



2. The applicants have preferred these First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 527/2025, registered at Police Station : Champa, District- Janjgir-Champa, (C.G.) for the offence punishable under Sections 331(4), 305(A), 317(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution case, in brief, is that the complainant Dhaniram Devangan lodged a report at Police Station Champa on 08.11.2025 stating that on 07.11.2025 he had gone to attend a Dashakarma ceremony at his brother's house in village Champa, and upon returning home at about 10:30 PM, found that the lock of the main door and the door of the पूजा room were broken and various gold and silver ornaments, cash and other articles were missing, which had been stolen by unknown persons. During the course of investigation, co-accused Yogesh Sahu @ Tingi, in his memorandum statement, disclosed that he along with other co-accused persons had committed the theft and subsequently disposed of the stolen jewellery. It is further alleged that co-accused Mohan Minj had sold the stolen ornaments to applicant Anil Kale, a goldsmith, who purchased the same for Rs.65,000 and, on the basis of his memorandum, certain melted gold and silver articles along with tools used for melting were seized from his possession. It is also alleged that the other applicant Sameer Chauhan, in his memorandum statement, admitted his involvement in the said incident. On the basis of the aforesaid material collected



during investigation, both the applicants have been implicated in the present case, and after completion of investigation, the charge sheet has been filed against them. Hence, these bail applications.

4. Learned counsel for the applicants submits that both the applicants are innocent and have been falsely implicated in the present case and have been arrested merely on the basis of suspicion without any credible evidence linking them to the alleged offence. It is contended that applicant Anil Kale is a goldsmith by profession at Korba, primarily engaged in repairing jewellery and not in its purchase or sale, and his implication is misconceived, moreover, his wife is a cancer patient undergoing treatment, and his continued incarceration is causing severe hardship to his family. It is further submitted that though two criminal antecedents have been shown against Anil Kale, he has already been acquitted in one case and the other is still pending consideration. In respect of applicant Sameer Chauhan, it is submitted that he is a young boy aged about 20 years, and nothing incriminating has been seized from his possession, and his implication is based solely on suspicion. It is further submitted that both the applicants are in jail since 07.12.2025 and 19.01.2026 respectively, the charge sheet has already been filed, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicants.
5. On the other hand, learned State Counsel appearing for the non-applicant/State opposes the bail applications and submits that the charge-sheet has been filed in the present cases. She further



submits that both the applicants are involved in a serious offence of house-breaking and theft, and their implication is based on material collected during investigation, including memorandum statements and recovery of incriminating articles. It is contended that applicant Anil Kale, being a goldsmith, had knowingly purchased and melted the stolen gold and silver ornaments, and tools and melted articles have been seized from his possession, clearly indicating his involvement in disposal of stolen property. It is further submitted that applicant Sameer Chauhan has also admitted his involvement in the offence in his memorandum statement, which reflects his participation in the crime. Considering the gravity of the offence, the manner in which the stolen property was disposed of, the applicants are not entitled for grant of bail.

6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the nature of allegations, the material collected during investigation, and the submissions advanced by learned counsel for both the parties, this Court finds that though the applicants have been implicated in the offence and certain recoveries, including melted gold and silver articles and other materials, have been effected at the instance of applicant Anil Kale, and the memorandum statements also indicate the alleged involvement of the applicants, however, the entire evidence against them is primarily documentary and based on recovery which has already been effected. Both the applicants are



in judicial custody since 07.12.2025 and 19.01.2026 respectively, the charge sheet has been filed, and and conclusion of the trial may take some time, without expressing any opinion on the merits of the case, this Court is of the considered view that the present applicants are entitled to be released on regular bail in theses cases.

8. Let the Applicants – **Anil Kale** and **Sameer Chauhan**, involved in Crime No. 527/2025, registered at Police Station : Champa, District- Janjgir-Champa, (C.G.) for the offence punishable under Sections 331(4), 305(A), 317(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing **personal bond** with **two sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya



Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them in accordance with law.

9. 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**

Rahul Dewangan