



2026:CGHC:9469



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1861 of 2026**

Shailesh Choure S/o Late Raj Kumar Choure Aged About 32 Years R/o Near Mata Garage, Kali Nagar, Pandari, Raipur, Distt. Raipur C.G., Other Address Ward No. 10, Shankar Nagar, P S Mohan Nagar, Durg, Dist-Durg C.G.

... Applicant**versus**

State of Chhattisgarh Through The P.S. Devendra Nagar, Raipur, District-Raipur C.G.

... Non-Applicant

For Applicant : Mr. N.Naha Roy, Advocate

For Non-Applicant/State : Mr. Saumya Rai, Dy. Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****24.02.2026**

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. 199/2025 registered at Police Station-Devendra Nagar, Raipur, District - Raipur, (C.G.) for the offence punishable under Sections 318(4), 3(5) and 316(4) of the Bharatiya Nyaya Sanhita, 2023.
2. The prosecution story, in brief, is that the accused persons,



including the present applicant, were employed at the complainant's establishment, namely Roshan Agency Cosmetic Unlimited, situated at Devendra Nagar, Raipur (C.G.), and during the period between 01.04.2023 and 30.09.2025, they allegedly committed theft of cosmetic products worth Rs. 31,29,192/- and unlawfully sold the same for their personal gain, thereby causing substantial financial loss to the complainant. On the basis of the said allegations, an FIR was registered, which led to a detailed investigation by the police, and upon completion of investigation, a charge-sheet has been filed against the accused persons under Sections 318(4), 3(5) and 316(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and is confident that he shall be acquitted by the learned Trial Court upon conclusion of trial. It is further submitted that the prosecution has set up a concocted and unsubstantiated case without any cogent evidence, as no alleged stolen cosmetic items have been seized from the possession of the applicant, and there is no material on record to establish that he had sold or misappropriated any such goods. Merely because the applicant was working at the complainant's establishment, he has been implicated on the basis of suspicion alone, without any direct or circumstantial evidence connecting him with the alleged offence. He further submits that the present applicant has no previous criminal antecedents, the charge-sheet has been filed, he is in jail since 19.10.2025, 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 bail application and submits that the charge-sheet has been filed before the competent Court. He further submits that the allegations against the present applicant are serious in nature, as he, along with other co-accused persons, while being employees of the complainant's establishment, committed criminal breach of trust and theft of cosmetic goods worth Rs. 31,29,192/- over a prolonged period and unlawfully enriched themselves. It is further submitted that the investigation has revealed active involvement of the applicant in the misappropriation of stock. Considering the magnitude of the financial loss, the breach of trust involved, and the prima facie material collected during investigation, 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. Taking into consideration the facts and circumstances of the case that though the applicant along with other co-accused persons, while being employees of the complainant's establishment, committed criminal breach of trust and theft of cosmetic goods worth Rs. 31,29,192/-, but considering that the applicant is languishing in jail since 19.10.2025, he has no previous criminal antecedents and the charge-sheet has been submitted before the competent Court and the conclusion of the trial may take some



more 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 is **allowed**. Let the applicant - **Shailesh Choure**, involved in Crime No. 199/2025 registered at Police Station- Devendra Nagar, Raipur, District - Raipur, (C.G.) for the offence punishable under Sections 318(4), 3(5) and 316(4) of the Bharatiya Nyaya Sanhita, 2023, 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.

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**

Rahul Dewangan