



2026:CGHC:10305



2026:CGHC:10305

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2044 of 2026**

1 - Jagdish Prasad Alias Jeevan S/o Jaleshwar Prasad Aged About 18 Years R/o Village Chamari, Tingipur, P.S. City Mungeli, Distt. Mungeli, Chhattisgarh.

2 - Yogendra Sahu Alias Janu S/o Dhanau Ram Aged About 22 Years R/o Village Chamari, Tingipur, P.S. Mungeli, Distt. Mungeli, Chhattisgarh.

3 - Shravan Yadav S/o Manoj Yadav Aged About 20 Years R/o Village Chamari, Tingipur, P.S. Mungeli, Distt. Mungeli, Chhattisgarh.

4 - Govind Sahu Alias Bakbak S/o Punnuram Sahu Aged About 23 Years R/o Village Chamari, P.S. Mungeli, Distt. Mungeli, Chhattisgarh.

5 - Akash Singh Chhatri S/o Dev Singh Chhatri Aged About 20 Years R/o Village Chamari, Tingipur, P.S. Mungeli, Distt. Mungeli, Chhattisgarh.

... Applicants**versus**

State of Chhattisgarh Through P.S. City Kotwali Mungeli, District-Mungeli, Chhattisgarh.

... Non-applicant

For Applicants	: Mr. Navneet Singh Gumber, Advocate Ms. Indrapreet Kaur Chhabra, Advocate
For Non-applicant/State	: Ms. Palak Dwivedi, Panel Lawyer

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

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 applicants who have been arrested in connection with Crime No. 31/2026 registered at Police Station- City Kotwali Mungeli, District- Mungeli, (C.G.) for the offence under Sections 331(4), 305 and 3(5) of Bharatiya Nyay Sanhita, 2023.
2. Case of the prosecution, in brief is that a written complaint was lodged by Parmeshwar Sahu (Salesman) stating that his wife, Pooja Sahu, operates a Government Fair Price Shop under the Kabir Women Self-Help Group at Village Tingipur, Gram Panchayat Chamari, which manages and distributes government-supplied rice and sugar. It is alleged in the complaint that unknown persons broke open the lock of the society's godown and committed theft of 56 bags of rice and 5 bags of sugar, valued at Rs. 74,250/-. It is further stated that distribution for the month of December was completed on 30.12.2025, and thereafter the shop was closed. The remaining stock consisted of 66 bags of rice from the previous month and 132 bags of rice received on 26.12.2025 for distribution in January, totaling 198 bags of rice and 5 bags of sugar. On 17.01.2026 at about 12:00 noon, the complainant was informed by Amoldas Manikpuri and Shiv Kumar Sahu (Sarpanch) that unknown persons had broken the lock of the society and committed theft of the aforesaid 56 bags of rice valued at Rs. 70,000/- and 5



bags of sugar (250 kg) valued at Rs. 4,250/-, totaling Rs. 74,250/-.

During the course of investigation, the present applicants were arrested in connection with the said offence, and hence, this bail application.

3. Learned counsel for the applicants submits that the present applicants are innocent persons and have been falsely implicated in the crime in question. It is further submitted that the FIR in the present case was initially lodged against unknown persons and that there is an unexplained delay of 18 days in lodging the same. It is further submitted that, as per the FIR and the written complaint dated 26.12.2025, it has been alleged that 132 bags of rice were received by the Society, however, the stock register annexed with the charge-sheet clearly reflects that no such quantity of rice was received by the Kabir Women Self-Help Group, Village Tingipur, Gram Panchayat Chamari, on the said date. It is also contended that though the complainant has stated that after 30.12.2025 the society remained closed and that he was informed about the alleged theft only on 17.01.2026, the stock register indicates that the shop remained operational during January on several dates, namely 01.01.2026, 07.01.2026, 09.01.2026, 10.01.2026, 16.01.2026 and 17.01.2026, which belies the prosecution story and suggests that in the event of any theft, the complainant would have had immediate knowledge thereof. It is further submitted that no shortage of ration stock has been found as per the stock register, and the applicants have



been falsely implicated on the basis of a vague and baseless complaint. It is further submitted that the only applicant No.04 has one criminal antecedent, which has already been disposed of. It is further submitted that the charge-sheet has been filed and the applicants No.1, 2 & 3 are in jail since 20.01.2026 and applicants No. 4 & 5 are in jail since 06.02.2026 and trial is likely to take quite long time for its conclusion, therefore, they pray for grant of bail to the applicants.

4. On the other hand, learned State counsel opposes the bail application of the present applicants and submits that the charge-sheet has already been filed in the present case before the competent Court. She further submits that the applicants are involved in the serious offence of theft of government food grains from a Fair Price Shop, causing wrongful loss to the public distribution system. It is contended that during the course of investigation sufficient material has been collected connecting the applicants with the alleged theft of 56 bags of rice and 5 bags of sugar valued at Rs. 74,250/-, and considering the gravity of the offence and its impact on public interest, the applicants are not entitled to be released on 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, nature and gravity of allegation levelled against the applicants and the fact that though the applicants are involved in the commission



of the alleged offence of theft, but also considering the fact that the charge-sheet has been filed, only applicant No.04 has one criminal antecedent which has already been disposed of and the applicants No.1, 2 & 3 are in jail since 20.01.2026 and applicants No. 4 & 5 are in jail since 06.02.2026 and trial is likely to take quite long time for its conclusion. Hence, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Accordingly, the bail application of the applicants is **allowed**. Let the Applicants – **Jagdish Prasad Alias Jeevan, Yogendra Sahu Alias Janu, Shravan Yadav, Govind Sahu Alias Bakbak** and **Akash Singh Chhattri** involved in Crime No. 31/2026 registered at Police Station- City Kotwali Mungeli, District- Mungeli, (C.G.) for the offence under Sections 331(4), 305 and 3(5) of Bharatiya Nyay 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.

8. 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**