



2026:CGHC:19145

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2076 of 2026**

1 - Neeraj Yadav S/o Santosh Yadav Aged About 20 Years R/o Village-Khadgawankala, Outpost- Khadgawan, P.S. Pratappur, District Surajpur C.G.

2 - Manish Yadav S/o Late Pokhraj Yadav Aged About 20 Years R/o Village-Khadgawankala, Outpost- Khadgawan, P.S. Pratappur, District Surajpur C.G.

3 - Aashish Yadav S/o Rajkumar Yadav Aged About 20 Years R/o Village-Khadgawankala, Outpost- Khadgawan, P.S. Pratappur, District Surajpur C.G.

... Applicant(s)**versus**

1 - State of Chhattisgarh Through S.H.O., P.S. Pratappur, District Surajpur C.G.

... Respondent(s)**(Cause title is taken from Case Information System)**

For Petitioner(s) : Mr. Pushkar Sinha, Advocate

For Respondent(s) : Ms. Vaishali Mahilong, Panel Lawyer

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****25/04/2026**

- The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'). for grant of regular bail, as they have been arrested in connection with Crime No.19/2026, registered at Police Station – Pratappur, Dist.- Surajpur (CG) for the offence punishable under



Section 305(b), 331(3), 111, 3(5) of BNS.

2. As per prosecution story in brief, complainant Uday Pratap Choudhary who is working as Mining Manager at Jagannathpur Open Cast, Bhatgaon, SECL alleged that on 15/01/2026 Truck bearing no. CG10-BL/9694 as per rules through authorized lifter taken it to inside the mines and the said vehicle without weighting, loaded the coal and thereafter at about 9 p.m the loaded truck with 40 ton coal which amount to cost of Rs. 1,90,000/- fled away from there and thereby committed the offence of theft. On the basis of the written complaint offence has been registered under station 305 of B.N.S. During investigation applicants/accused have been arrested on 20/01/2026 and upon their memorandum offence under section 331 (3) and 111 of B.N.S has been added, and since they are in jail.
3. Learned counsel for the applicants that the applicants are innocent and have been falsely implicated in this case. He would further submit that the FIR has been lodged against the unknown driver of the vehicle who stolen the coal from the mines, but from the memorandum statement nothing incriminating evidence found against the applicants which shows any involvement in the commission of crime. It is further contended that no seizure has been made from the present applicants and applicants are in jail since 20.01.2026, 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 applicants.
4. On the other hand, learned counsel for the State opposes the bail application of the applicants and submits that according to charge-sheet has been filed in the present case before the competent



authority. She also submits that there is only one previous antecedent against the applicant No.1 namely Neeraj Yadav bearing crime No.84 of 2016 for offence under Section 299, 147 of IPC and applicant No.2 and applicant No.3 have no criminal antecedent. She further submits that the complainant, Uday Pratap Choudhary, who is working as Mining Manager at Jagannathpur Open Cast, Bhatgaon, SECL, has alleged that on 15.01.2026, a truck bearing registration No. CG10-BL/9694 was taken inside the mines by an authorized lifter in accordance with the prescribed procedure and, without being weighed, was illegally loaded with coal and, thereafter, at about 9:00 PM, fled from the site carrying approximately 40 tons of coal valued at Rs. 1,90,000/-. By this act, the accused persons are alleged to have committed the offence of theft.

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 and the fact that charge-sheet has been filed and no further investigation is required to be done and fact that there is only one criminal antecedent against the applicant No.1 and no criminal antecedent against the applicant No.2 and 3, the applicants are in jail since 20.01.2026 and the conclusion of the trial would take some time, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Let the applicant No.1 -**Neeraj Yadav**, applicant No.2- **Manish Yadav** and applicant No.3 – **Aashish Yadav** involved in Crime No.19/2026, registered at Police Station –Pratappur, Dist.- Surajpur (CG) for the offence punishable under Section 305(b), 331(3), 111, 3(5) of BNS, be



released on bail on his furnishing a **personal bond** with **two sureties** each 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 send a copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

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