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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2705 of 2026**

Rajesh Agrawal S/o Shri Ramawtar Agrawal Aged About 39 Years R/o Village Pratapgarh (Halwaipara), Ps And Tahsil Sitapur, District Surguja, Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through Station House Officer Of Police Station Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.

... Non-applicant

For Applicant	: Mr. Hariom Rai, Advocate
For Non-applicant/State	: Ms. Vaishali Mahilong, Deputy G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.03.2026**

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. 159/2025 registered at Police Station-Balrampur, District Balrampur-Ramanujganj, (C.G.) for the offence punishable under Sections 305, 331(4), 317(2), 317(4), 317(5), 111 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.



2. Case of the prosecution, in brief, is that the complainant, Ajay Kumar Soni, is the owner of a jewellery shop where gold and silver ornaments are manufactured and sold, on the intervening night of 31.10.2025, unknown persons, after breaking open the shutter of the said shop, committed theft of gold and silver ornaments along with cash amounting to Rs. 75,000/-. On the basis of the complaint, an offence under Sections 305 and 331(4) of the B.N.S. was registered, and during the course of investigation, Sections 317(2), 317(4), 317(5), 3(5) and 111 of the B.N.S. were also added, the present applicant was arrested by the Police of Police Station Balrampur on 09.11.2025 and since then he is in judicial custody. Hence, this bail application.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any act which would justify his conviction under the alleged sections. He also submits that no recovery of the alleged stolen article has been effected from the possession of the present applicant. He further submits that similarly situated co-accused persons, namely, Roshan Soni and Badal Das have already been granted bail by this Hon'ble Court vide orders dated 24.02.2026 and 10.03.2026 in MCRC Nos. 221/2026 and 2252/2026 respectively. He also submits that the applicant has no previous criminal antecedents and he is in jail since 09.11.2025, the 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 on the ground of parity.



4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused persons have already been granted bail by this Court and the case of the present applicant is identical to that of the co-accused.
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 offence, the fact that though the present applicant and other co-accused persons were committed theft of gold and silver ornaments along with cash amounting to Rs. 75,000/-, but other co-accused persons, namely, Roshan Soni and Badal Das have already been granted bail by this Court vide orders dated 24.02.2026 and 10.03.2026 in MCRC Nos. 221/2026 and 2252/2026 respectively, and the case of present applicant is identical to that of the co-accused persons, further the charge-sheet has been filed in the present case, the present applicant has not previous criminal antecedents and he is jail since 09.11.2025, the conclusion of the trial will take some more time, therefore, this Court is of the considered view that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Rajesh Agrawal**, involved in Crime No. 159/2025 registered at Police Station- Balrampur, District Balrampur-



Ramanujanj, (C.G.) for the offence punishable under Sections 305, 331(4), 317(2), 317(4), 317(5), 111 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing **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,



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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