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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2925 of 2026**

Shekh Chunnu S/o Noor Aalam Aged About 20 Years R/o Moti Jharana P.S.
Taljhadi District- Sahebganj (Jharkhand)

... Applicant**versus**

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

---- Non-applicant

For Applicant	: Mr. Varunendra Mishra, Advocate.
For Non-applicant/State	: Mr. Sourabh K. Pande, Dy. Adv. General.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****01.04.2026**

1. The applicant has preferred this **Second Bail Application** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 586/2023, registered at Police Station – Janjgir, District – Janjgir-Champa (C.G.) for the offence punishable under Sections 379, 420/34 and 201 of the IPC.
2. Earlier the first bail application of the applicant was rejected by this Court vide order dated 09.09.2025 passed in MCRC No. 7157 of 2025, on merits.
3. The case of the prosecution, is that the applicant along with other co-accused persons, stole the mobile of the complainant namely Ratan Singh Kshatriya and transferred the amount from his account and later



threw out the SIM Card. On the basis of such complaint, the crime was registered and the applicant was registered by the Police.

4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there are 4 criminal antecedents of the applicant in which he has been acquitted. It is contended that so far as the trial is concerned, out of 25 witnesses, 15 witnesses have already been examined, and the second bail application of co-accused has already been allowed and he has been granted bail by this Court vide order dated 11.02.2026 passed in MCRC No. 1219/2026. The applicant is in jail since 09.12.2024 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
5. On the other hand, the learned State counsel opposes the bail application and submits that there are 4 criminal antecedents of the applicant. It is further submitted that the applicant along with other co-accused persons, stole the mobile of the complainant namely Ratan Singh Kshatriya and transferred the amount from his account and later threw out the SIM Card, but could not dispute the fact that the second bail application of the co-accused has been allowed by this Court, and the case of the applicant is identical to that of the co-accused.
6. I have heard learned counsel for the parties and perused all of the documents available on record.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant, and the fact that though the first bail application of the applicant was rejected



by this Court vide order dated 09.09.2025 passed in MCRC No. 7157 of 2025 on merits, but there are 4 criminal antecedents of the applicant in which he has been acquitted, so far as the trial is concerned, out of 25 witnesses, 15 witnesses have already been examined, and the second bail application of co-accused has already been allowed and he has been granted bail by this Court vide order dated 11.02.2026 passed in MCRC No. 1219/2026, the applicant is in jail since 09.12.2024 and conclusion of the trial is likely to take some time, I am inclined to allow this application, on the ground of parity.

8. Let applicant, **Shekh Chunnu**, involved in Crime No. 586/2023, registered at Police Station – Janjgir, District – Janjgir-Champa (C.G.) for the offence punishable under Sections 379, 420/34 and 201 of the IPC, be released on bail on his furnishing **a personal bond** with **two local 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



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(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.

9. 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**

Rajshekhar