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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2941 of 2026**

- Basant Loni S/o Nand Kumar Aged About 21 Years R/o Village-Silpur, P.S. Kotma Dist- Anuppur (M.P.)

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

- State of Chhattisgarh Through Station House Officer (S.H.O.) Jainagar Dist- Surajpur (C.G.)

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

 For Applicant(s) : Mr. Anmol Gupta, Advocate

 For Respondent(s) : Mr. Shubham Bajpai, Panel Lawyer

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

1. The applicant has preferred this First 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. 274/2025, registered at Police Station – Jainagar, District – Surajpur (C.G.) for the offence punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The case of the prosecution, is that the complainant Sunil Kumar lodged an FIR on 24.11.2025 that on the date of incident



24.11.2025, at or about 4:00 AM, he parked his Truck bearing no. CG15EC1084 near Silphili Battalion Petrol Pump from which some unknown persons allegedly siphoned/stole away 250 litres of Diesel (estimated around 23560 rupees) from the said fuel truck. On the basis of suspicion, the present applicant and other accused persons were apprehended and implicated in the aforesaid offence.

3. 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 is two criminal antecedents registered against the present applicant, and both are mentioned in the bail application. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 11.12.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there are two criminal antecedents registered against the present applicant, out of which in one case applicant was granted bail and the charge-sheet has been filed in this case. It is further submitted that applicant has stolen 250 litres of Diesel (estimated around 23560 rupees) from the said fuel truck, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the



case, nature and gravity of allegation levelled against the applicant and the fact that charge-sheet has been filed against the applicant, the applicant is in jail since 11.12.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Basant Loni**, involved in Crime No.274/2025, registered at Police Station – Jainagar, District – Surajpur (C.G.) for the offence punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS), 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



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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 certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Vaishali