



2026:CGHC:15099



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2886 of 2026**

Adarsh Mahato S/o Gaurishankar Mahato Aged About 25 Years R/o S.E.C.L. Colony, Baraud, P.S. And Tahsil- Gharghoda, District- Raigarh, Chhattisgarh.

... Applicant**versus**

State of Chhattisgarh Through Station Head Officer, Police Station Gharghoda, District- Raigarh, Chhattisgarh.

... Non-applicant

For Applicant	: Mr. Ashutosh Rathore, Advocate
For Non-applicant/State	: Mr. Shubham Bajpai, Panel Lawyer

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

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. 332/2025 registered at Police Station- Gharghoda, District- Raigarh, (C.G.) for the offence punishable under Sections 112(2), 303(2), 336(3), 338, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. Case of the prosecution, in brief, is that on the basis of information



received from a whistle-blower, the police came to know that a truck bearing registration No. CG-10-R-2601 was being used for transporting illegal coal from Sirsinga, Dharamjaigarh to Raigarh, acting upon the said information, the police laid a blockade at Dharamjaigarh Road Bypass Tiraha, Gharghoda, where the said truck was spotted and signalled to stop, however, the driver attempted to flee and was subsequently apprehended on Gharghoda Road. Upon interception, the present applicant Adarsh Mahto along with co-accused Akhil Lahre was found in possession of the truck, and it was further discovered that a fake registration number had been affixed at various places on the vehicle, while approximately 20 tons of coal was loaded in the trailer. On being questioned, both the accused persons disclosed that they were instructed by co-accused Amit Agrawal to transport the said truck bearing original registration No. CG-10-R-1927 after affixing a false registration number. The police issued notice under Section 94 of the BNSS for production of documents relating to the coal, however, no valid documents were produced, and accordingly FIR bearing No. 332/2025 was registered against the accused persons under Sections 112(2), 3(5), 303(2), 336(3), 338 and 61(2) of the Bharatiya Nyaya Sanhita, 2023, the present applicant was arrested on 22.12.2025. 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



article has been effected from the possession of the present applicant. He further submits that similarly situated co-accused person, namely, Akhil Lahre has already been granted bail by this Hon'ble Court vide order dated 25.03.2026 in MCRC No. 1062/2026 and co-accused, namely, Amit Agrawal has already been granted anticipatory bail by this Hon'ble Court vide order dated 30.01.2026 in MCRCA No. 149/2026. He also submits that the applicant has no previous criminal antecedents and he is in jail since 22.12.2025, 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 regular and anticipatory 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 the said theft, but other co-accused person, namely, Akhil Lahre has already been granted bail by this Court vide order dated 25.03.2026 in MCRC No. 1062/2026 and co-accused, namely, Amit Agrawal has already been granted anticipatory bail by this Court vide order dated



30.01.2026 in MCRCA No. 149/2026, 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 no previous criminal antecedents and he is jail since 22.12.2025, 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 – **Adarsh Mahato**, involved in Crime No. 332/2025 registered at Police Station- Gharghoda, District- Raigarh, (C.G.) for the offence punishable under Sections 112(2), 303(2), 336(3), 338, 61(2) 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, 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