



2026:CGHC:21492

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3154 of 2026**

Vinod Kumar Karsh S/o Shri Tukaram Karsh Aged About 39 Years R/o
Village Tundra P.S. Gidhauri District Balodabazar Bhatapara C.G.

... Applicant**versus**

The State of Chhattisgarh Through S H O, PS- Birra, District Janjgir-
Champa C.G.

... Non-Applicant

For Applicant : Ms. Mamta Mahilange, Advocate

For Non-Applicant/State : Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

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. 14/2026 registered at Police Station- Birra, District Janjgir-Champa, (C.G.) for the offence punishable under Sections 331(4), 305 and 61(2) of the Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that the complainant appeared before the concerned Police Station on 30.01.2026 and



lodged a report stating that on the intervening night of 29.01.2026, after having dinner, all the family members had gone to sleep in their respective rooms. The complainant was sleeping in her room along with her husband. At about 4:00 AM, when she woke up, she noticed that the almirah kept in her room was open and the locker inside the almirah was also found open. Upon verification, it was found that one gold locket valued at Rs. 6,000/-, gold tops valued at Rs. 73,250/-, one pair of silver anklets valued at Rs. 6,750/-, one old used mobile phone valued at Rs. 3,000/- and cash amounting to Rs. 30,000/- were missing from the locker. Thus, property worth a total sum of Rs. 1,19,000/- (Rupees One Lakh Nineteen Thousand only) had allegedly been stolen by some unknown person. On the basis of the aforesaid report, Crime No. 14/2026 was registered at Police Station Birra, District Janjgir-Champa (C.G.) for the offence in question, and the matter is presently under investigation. Hence, the present bail application.

3. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in the present case. It is further submitted that the alleged seizure memo has been falsely prepared by the police only with an intention to implicate the applicants in the alleged offence. She further submits that the FIR in the present case was initially lodged against an unknown person and there is no direct evidence connecting the applicants with the commission of the alleged crime. She further submits that the present applicant has no previous criminal antecedent, the charge-sheet has been filed before the competent Court, he is in jail since



21.02.2026 and the trial is likely to take some time for its conclusion. Therefore, she prays for grant of bail to the applicant.

4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been submitted before the competent Court. She further submits that during the course of investigation, certain stolen gold and silver ornaments have been recovered from the possession of the present applicant, pursuant to his memorandum statement, which clearly connects him with the commission of the alleged offence. It is further submitted that the FIR was registered regarding theft of valuable ornaments, cash and other articles from the house of the complainant during night hours, and the investigation has revealed the involvement of the present applicant in the said offence. Therefore, considering the nature and gravity of the offence and the recovery effected from the applicant, the applicant does not deserve to be enlarged on bail.
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 allegation levelled against the applicant and the fact that though the applicant is involved in the commission of the alleged offence of theft and certain stolen gold and silver ornaments have been recovered from the possession of the present applicant, but also considering the fact that the applicant is languishing in jail since 21.02.2026, he has no previous criminal antecedents, and the charge-sheet has been submitted before the



competent Court and the conclusion of the trial may take some more time, therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let the applicant - **Vinod Kumar Karsh**, involved in Crime No. 14/2026 registered at Police Station- Birra, District Janjgir-Champa, (C.G.) for the offence punishable under Sections 331(4), 305 and 61(2) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing **a 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,



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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

Rahul Dewangan