



2026:CGHC:22367



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3308 of 2026

Ayyub Saifi @ Babu S/o Md. Rahman Saifi Aged About 28 Years R/o Village Silyari, Bazarpara Chowk Siliyari, Police Station Dharsinva, District- Raipur Chhattisgarh.

...Applicant

versus

State Of Chhattisgarh Through S. H. O. Police Station Dharsinva, District Raipur Chhattisgarh.

... Non-applicant

For Applicant : Mr. Arun Kumar Shukla, Advocate

For Non-applicant : Ms. Ritika Verma, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

12.05.2026

- The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.150/2026, registered at Police Station - Dharsinva, District Raipur (C.G.) for the offence punishable under Sections 305, 331(4) of the Bharatiya Nyaya Sanhita, 2023



(BNS).

2. As per the prosecution story, in brief, the complainant submitted a written complaint on 17.03.2026 alleging that he runs a shop in the name of "Krishi Sewa Kendra" at Silyari. It is further alleged that in the intervening night of 16-17.03.2026, he left his shop without properly locking it and went to his home. When he returned in the morning, he found that a sum of Rs. 10,000/- was missing from the cash box of his shop. Thereafter, he lodged a report at the concerned police station against an unknown person. On the basis of the said report, the police registered an FIR (Annexure A/2) and during the course of investigation, the present applicant was arrested, hence this bail application.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, which was initially registered against an unknown person and the applicants have been roped in only on suspicion. It is further submitted that nothing has been recovered from the possession of the applicants and false seizure proceedings have been prepared by the police. It is also submitted that the evidence collected is not sufficient to establish the guilt of the



applicants and the case is triable by the Judicial Magistrate First Class, hence the trial is likely to take time. It is later submitted that the applicant has three criminal antecedents registered as case Crime Nos. 558/2019, 556/2017 and 60/2022 and all the said cases have already been disposed of. The applicants are in custody since 17.03.2026 and have also been acquitted in earlier cases, therefore they deserve to be enlarged on bail.

4. Learned State counsel opposes the bail application and submits that the applicants are involved in the present case and have been rightly implicated during investigation. It is further submitted that charge-sheet has already been filed before the competent Court and sufficient material is available on record against the applicants. It is also submitted that the applicants are having three previous criminal antecedents, which shows their criminal tendency. So far as the seizure made from the applicant is concerned, amount of Rs.2,000/- has been sized from the present applicant. Therefore, the applicant is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Considering the facts and circumstances of the case, the nature



of allegations levelled against the applicants and the material available on record, this Court finds that the charge-sheet has already been filed. It is also taken into consideration that though the applicant is stated to have three previous criminal antecedents, but all the said cases have already been disposed of and nothing is pending against him. The applicant is in custody since 17.03.2026. Accordingly, without expressing any opinion on the merits of the case this Court is inclined to allow the application.

7. Let applicants, Ayyub Saifi @ Babu, involved in Crime No.150/2026, registered at Police Station – Dharsinva, District Raipur (C.G.) for the offence punishable under Sections 305, 331(4) of the Bharatiya Nyaya Sanhita, 2023 (BNS), 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, 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**