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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3398 of 2026

Sandeep Sahu S/o Mantram Sahu, Aged About 19 Years R/o Block No. 34, Room No. 07, Sector 03, Khalbada Saddu, P.S.- Vidhansabha, Distt. Raipur, (C.G.)

... Applicant

versus

State of Chhattisgarh Through Police Station Civil Line, District Raipur (C.G.)

... Non-Applicant

For Applicant : Ms. Laxmi Gupta, Advocate.

For Non-Applicant/State : Mr. Nitansh Kumar Jaiswal, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

15.04.2026

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. 421/2025 registered at Police Station-Civil Line, District - Raipur, (C.G.) for the offence punishable under Sections 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The prosecution story, in brief, is that on the basis of a report lodged regarding the theft of a vehicle bearing registration No. CG-04-PM-



0942 by an unknown person, an FIR was registered at Police Station Civil Line, Raipur. During the course of investigation, the present applicant was taken into custody, and it is alleged that during custodial interrogation, he made a memorandum statement leading to the discovery of incriminating evidence. Pursuant to the said disclosure, the police conducted a search at a multi-level parking facility, which resulted in the recovery and seizure of the said stolen motorcycle along with several other motorcycles and Activa scooters, allegedly kept there by the applicant in connivance with other co-accused persons. On the basis of the aforesaid allegations, the offence has been registered against the applicant, who has been arrested, 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 no role to play in the commission of the alleged offence. It is further submitted that there is no cogent legal material available on record to constitute the offence as alleged by the prosecution. She submits that the co-accused, namely Khevendra Das Manikpuri, has already been granted regular bail by this Hon'ble Court vide order dated 18.03.2026 passed in MCRC No. 2424/2026, and therefore, the present applicant is also entitled to be released on bail on the ground of parity. It is further contended that the alleged recovery has been made from a multi-level parking, which is a public place, and therefore, the link between the applicant and the seized vehicle is highly doubtful and is a matter of trial, especially when the applicant has not been named in the FIR. She further



submits that the present applicant has 02 previous criminal antecedents explained in paragraph 4(a) of the bail application. She also submits that the applicant is a young man aged about 19 years, having deep roots in society, with no likelihood of absconding or tampering with prosecution evidence. It is further submitted that the charge-sheet has already been filed, the applicant is in jail since 09.01.2026, and no prosecution witnesses have been examined till date 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 present bail application and submits that the charge-sheet has been submitted before the competent Court. He further submits that the applicant is actively involved in the commission of the offence and his complicity is clearly established from the material collected during investigation. It is contended that the co-accused, namely Khevendra Das Manikpuri, who has been granted regular bail by this Hon'ble Court vide order dated 18.03.2026 passed in MCRC No. 2424/2026, stands on a different footing, as no recovery was effected from him. In contrast, in the present case, the stolen motorcycle along with other vehicles has been recovered at the instance of the applicant from a multi-level parking pursuant to his memorandum statement, which clearly establishes his direct involvement in the offence. It is further submitted that such recovery is a strong incriminating circumstance against the applicant and distinguishes his case from that of the co-accused. He also submits that the present applicant has 02 criminal antecedents of the similar



nature which shows that he is a habitual offender, therefore, the applicant is not entitled for grant of 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 that though there are allegations against the applicant regarding his involvement in the offence and recovery of the stolen vehicle has also been effected at his instance, it is noted that the case is primarily based on the memorandum statement and the recovery has been made from a public place, thereby making the nexus between the applicant and the seized property a matter of trial. It is also taken into consideration that the co-accused, namely Khevendra Das Manikpuri, has already been granted regular bail by this Court vide order dated 18.03.2026 passed in MCRC No. 2424/2026, though his case stands on a different footing as no recovery was effected from him. However, considering the overall facts, the age of the applicant, the period of detention since 09.01.2026 and previous criminal antecedents of the applicant explained in paragraph 4(a) of the bail application, the fact that no prosecution witnesses have been examined till date, and that the trial is likely to take 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 – **Sandeep Sahu**, involved in Crime No. 421/2025



registered at Police Station- Civil Line, District - Raipur, (C.G.) for the offence punishable under Sections 303(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



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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