



2026:CGHC:21250



2026:CGHC:21253

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3436 of 2026

Roshan Shrivastava S/o Ashok Shrivastava Aged About 22 Years R/o Village Khairia
Police Station Masturi, District- Bilaspur (C.G.)

... Applicant

versus

State of Chhattisgarh Through Station House Officer, Police Station
Chakrabhata, District- Bilaspur (C.G.)

... Non-applicant

For Applicant : Mr. Rahul Goswami, Advocate.

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

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.05.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 05/2026 registered at Police Station Chakrabhata, District – Bilaspur (C.G.), for the offence punishable under Section 304(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that the informant, Parmeshwari Porte, is a resident of Village Kaivachi, Police Station Bilha, District Bilaspur, and is a first-year B.A. student. On 01.01.2026 at about 09:30 AM, she went from her home to Triveni Dental College, Chakrabhatha,



for treatment. After receiving treatment, she was returning to her village, Kaivachi, on foot as she had no means of transportation. When she reached Raipur–Bilaspur Road, in front of Diamond Hotel, at about 11:15 AM, while she was talking to her brother on the phone, a motorcyclist approached from behind at speed, snatched her mobile phone, and fled from the spot. The mobile phone was a Redmi 14C with a Jio SIM bearing No. 9303160769, valued at approximately Rs. 5,000/-, along with Rs. 1,000/- in cash kept in the mobile cover, making the total value Rs. 6,000/-, which was snatched by the unknown motorcyclist who then fled away.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the present case. He submits that the allegations made by the prosecution against the applicant are false and baseless. He further submits that the police have not seized any article from the possession of the applicant. He also submits that the applicant has only one criminal antecedent under the BNS, which is also listed today before this Court for consideration, and apart from this case, the applicant has no other criminal antecedents. It is further submitted that the applicant has been in judicial custody since 27.01.2026, and as the conclusion of the trial is likely to take considerable time, he prays for grant of regular bail to the present applicant.
4. On the other hand, learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has been submitted before the competent Court in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, and



the fact that the present applicant has one criminal antecedent apart from the present case, which is also listed before this Court for hearing today. Moreover, the fact that the charge-sheet has already been submitted before the competent Court, the applicant has been incarcerated since 27.01.2026, and the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Let the Applicant – **Roshan Shrivastava**, involved in Crime No. 05/2026 registered at Police Station Chakrabhata, District – Bilaspur (C.G.), for the offence punishable under Section 304(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on her 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,



2026:CGHC:21250

(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**

Abhishek