



2026:CGHC:26615



2026:CGHC:26618

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3708 of 2026**

1 - Ved Singh @ Dev Singh S/o Dharamdev Singh Aged About 23 Years R/o Village Mangari Juna Para P.S. Sitapur District- Surguja (C.G.)

2 - Suraj Singh @ Edaku S/o Late Hiru Singh Aged About 19 Years R/o Nakna Sarnapara P.S. Sitapur District- Surguja (C.G.) ... Applicants

versus

State Of Chhattisgarh Through Station House Officer P.S. Balrampur District- Ramanujganj (C.G.) ... Non-applicant

For Applicants : Mr. Nishi Kant Sinha, Advocate.

For Non-Applicant/State : Ms Vaishali Mahilong Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****30.06.2026**

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 have been arrested in connection with Crime No. 159/2025 registered at Police Station - Balrampur, District - Balrampur- Ramanujganj (C.G.), for the offences punishable under Sections 305,



331(4), 317(2), 317(4), 317(5), 3(5), 111,111(2),(B), 111(4) & 111(7) of the BNS.

2. Case of the prosecution, in brief, is that on 31.10.2025 at night unknown persons committed theft at jewelry shop of Ajay Kumar Soni named and styled as Dhananjay Jewelers and took away cash to the tune of Rs. 75000/- and Gold and Silver ornaments worth Rs. 76,27,875/- On investigation memorandum of accused persons were recorded and on the basis of memorandum recoveries were made and applicants have been arrested.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case and have not committed any of the alleged offences. It is contended that the applicants have been implicated merely on the basis of the memorandum statements of the co-accused, which by themselves constitute a weak piece of evidence. Learned counsel further submits that no stolen property or article connected with the alleged offence has been recovered from the possession of the applicants. Though a two-wheeler belonging to each of the applicants and a cash amount of Rs50,000/- have been seized, the said recoveries have no nexus with the alleged theft. It is further submitted that some of the co-accused persons have already been enlarged on bail by this Court and, therefore, the present applicants are also entitled to the benefit of parity. Learned counsel also submits that the applicants have been in judicial custody since 09.11.2025 and the trial is likely to take considerable time to conclude. The applicants are permanent residents of the address mentioned in the cause title, there is no likelihood of



their absconding or tampering with the prosecution evidence, and they are ready and willing to furnish adequate sureties and abide by all such terms and conditions as may be imposed by this Court. Accordingly, it is prayed that the applicants be enlarged on bail.

4. On the other hand, learned counsel appearing for the State/non-applicant opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. He further submits that 10 criminal antecedents are registered against applicant No. 1, namely Ved Singh @ Dev Singh, all are pending, whereas one criminal antecedent is registered against applicant No. 2, namely Suraj Singh @ Edaku, therefore, they are not entitled to the grant of regular 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, particularly, that there is 10 criminal antecedent registered against the applicant No. 1, namely, Ved Singh @ Dev Singh and he is a habitual offender, further he has misused the bail granted to him earlier and also in light of the judgment rendered by the Supreme Court in ***Deepak Yadav v. State of Uttar Pradesh & Another***, reported in ***(2022) 8 SCC 559***, wherein the Hon'ble Supreme Court had cancelled the bail granted to the accused therein on the ground that the accused had previous antecedents, this Court is of the opinion that is not a fit case to enlarge the applicant on regular bail.
7. Accordingly, the bail application of the applicant No. 1 - **Ved Singh @ Dev Singh**, involved in Crime No. 159/2025 registered at Police



Station - Balrampur, District - Balrampur-Ramanujganj (C.G.), for the offences punishable under Sections 305, 331(4), 317(2), 317(4), 317(5), 3(5), 111,111(2),(B), 111(4) & 111(7) of the BNS, is **rejected**.

8. Whereas, one criminal antecedent is registered against applicant No. 2, namely Suraj Singh @ Edaku, and the other co-accused persons, committed theft of gold and silver ornaments along with cash amounting to Rs.75,000/-. However, the other co-accused persons, namely Roshan Soni and Badal Das, have already been granted bail by this Court vide orders dated 24.02.2026 and 10.03.2026 passed in MCRC Nos. 221 of 2026 and 2252 of 2026, respectively. The case of the present applicant stands on the same footing as that of the aforesaid co-accused. Further, the charge-sheet has already been filed, the applicant has been in judicial custody since 09.11.2025, and the conclusion of the trial is likely to take considerable time. Therefore, considering the principle of parity and without expressing any opinion on the merits of the case, this Court is of the considered view that Applicant No. 2, namely Suraj Singh @ Edaku, is entitled to be released on bail.
9. Accordingly, the bail application of the applicant No. 2 - **Suraj Singh @ Edaku** involved in involved in Crime No. 159/2025 registered at Police Station - Balrampur, District - Balrampur-Ramanujganj (C.G.), for the offences punishable under Sections 305, 331(4), 317(2), 317(4), 317(5), 3(5), 111,111(2),(B), 111(4) & 111(7) of the BNS, be released on bail on him furnishing a **personal bond** with **two local sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-



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(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.

10. Office is directed to send a copy of this order to the trial Court concerned for necessary information and compliance within one week from today.

**Sd/-
(Ramesh Sinha)
Chief Justice**