



2026:CGHC:21233

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4212 of 2026**

**1** - Vishnu Das S/o- Late Dhani Das Manikpuri, Aged About 42 Years R/o- Village -Bhatapara Bagdehi, Police Station- Kurud, District- Dhamtari (C.G.)

**2** - Chandra Bhushan @ Bittu S/o- Gajendra Singh , Aged About 32 Years R/o- Village Supela, Panch Rasta Bhilai, Police Station- Supela, District- Durg (C.G.)

**... Applicants****versus**

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

**... Non-applicant**

---

For Applicants : Mr. Kunal Das, Advocate

For Non-applicant/State : Mr. Saurabh Sahu, Panel Lawyer

---

**Hon'ble Shri 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 applicants who have been arrested in connection with Crime No. 225/2025 registered at Police Station- Kurud, District-Dhamtari, (C.G.) for the offence under Sections 303(2), and 3(5) of Bharatiya Nyay Sanhita, 2023.



2. Case of the prosecution, in brief is that on 09.09.2025, between 02:00 a.m. to 03:00 a.m., the complainant, Aman Kumar Dubey, lodged a report at Police Station Kurud, District Dhamtari (C.G.), alleging that 120 pieces of 32 mm TMT bars (sariya), worth approximately Rs. 1,80,000/-, kept at the Railway T.S.S. construction site situated at village Kanharpuri, were stolen by unknown persons. During the course of investigation, the present applicants, namely Vishnu Das Manikpuri, Chandra Bhushan Singh, Sheikh Faijal, T. Shiv Kumar, Omprakash Banjare, Sugreme Ram, and Akash Gupta, were found to be involved in the commission of the said offence. Accordingly, the police registered a case for offences punishable under Sections 303(2) and 3(5) of the BNS. After completion of investigation, the charge-sheet has been filed before the competent Court, and the applicants were arrested on 17.01.2026, hence, the present bail application.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the alleged offence, and they have not committed any offence as alleged. It is further submitted that no incriminating material, including the alleged stolen TMT bars, has been seized from the present applicants, and in fact, the recovery has been made only from co-accused Akash Gupta and not from the applicants. The applicants have been implicated merely on the basis of the memorandum statement of co-accused persons, which was allegedly obtained under pressure by the police authorities. It is also submitted that



the applicants have been arraigned in the present case solely on suspicion, and no *prima facie* case is made out against them based on the material available on record. It is further submitted that the applicants have no criminal antecedents. It is further submitted that the charge-sheet has been filed and the applicants, aged about 42 and 32 years, are in jail since 17.01.2026 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail to the applicants.

4. On the other hand, learned State counsel opposes the bail application of the present applicants and submits that the charge-sheet has already been filed in the present case before the competent Court. He further submits that the applicants are involved in a serious offence of theft of valuable construction material and their names have surfaced during the course of investigation. It is further submitted that their involvement is supported by the memorandum statements of co-accused persons and other material collected by the prosecution. Merely because the recovery has been effected from co-accused Akash Gupta does not absolve the present applicants from their active participation in the offence. He further submits that the applicant No.1 has two previous criminal antecedents of the years 2016 and 2017. Considering the nature and gravity of the allegations and the role attributed to the applicants, it is not a fit case for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.



6. Considering the nature of allegations and the material available on record, and the fact that though the applicants are alleged to be involved in the commission of theft, but it is apparent that no recovery of the alleged stolen TMT bars has been made from the present applicants and the seizure has been effected only from co-accused Akash Gupta. The implication of the applicants is primarily based on the memorandum statements of co-accused persons. Further, considering the fact that the charge-sheet has been filed, only applicant No.01 has two criminal antecedents of the years 2016 and 2017 which are old and stale and applicants are in jail since 17.01.2026, and trial is likely to take quite long time for its conclusion. Hence, this Court is of the view that the applicants are entitled to be released on bail in this case.
7. Accordingly, the bail application of the applicants is **allowed**. Let the Applicants – **Vishnu Das** and **Chandra Bhushan @ Bittu** involved in Crime No. 225/2025 registered at Police Station- Kurud, District-Dhamtari, (C.G.) for the offence under Sections 303(2), and 3(5) of Bharatiya Nyay Sanhita, 2023, be released on bail on furnishing **personal bond** with **two sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them 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**