



2026:CGHC:21188



2026:CGHC:21191

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3640 of 2026

- T. Shiv Kumar S/o T. Nageshwar Rao Aged About 30 Years R/o Village- Bhilai Camp 01, Ward No. 31, Police Station - Chhawani, District- Durg (C.G.)

... Applicant(s)

versus

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

... Respondent(s)

(Cause title is taken from Case Information System)

 For Applicant(s) : Mr. Kunal Das, Advocate

 For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

06.05.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 225/2025, registered at Police Station – Kurud, District – Dhamtarai (C.G.) for the offence punishable under Sections 303(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The case of the prosecution, in brief is that, the complainant namely Aman Kumar Dubey made written complaint stating therein that on 09-09-2025 between 2.00 to 3.00 AM (in the night), some persons



have stolen the iron rod from his working construction house amounting to Rs.1,80,000/- and during the investigation, the present applicant and other accused persons have been arrested.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. He also submits that the police not seized any material in respect of TMT Bar from the applicant and present applicant has not committed any theft. It is further contended that there is only one criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. The applicant is 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.
4. On the other hand, the learned State counsel opposes the bail application and submits that there is only one criminal antecedents registered against the present applicant and charge-sheet has been filed in the present case before the competent Court.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and considering the fact that applicant has only one criminal antecedent, charge-sheet has been filed against the applicant, the applicant is in jail since 17.01.2026 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **T. Shiv Kumar**, involved in Crime No.225/2025, registered at Police Station – Kurud, District – Dhamtarai (C.G.) for the offence punishable under Sections 303(2), 3(5) 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

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