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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 3528 of 2026**

Surya Giri S/o Milan Giri Aged About 20 Years R/o Bishunpara, P.S. Sitapur,
District Surguja, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through Station House Officer P.S. Balrampur, District
Ramanujganj, Chhattisgarh. **...Non-applicant**

For Applicant	: Mr. Nishi Kant Sinha, Advocate.
For Non-applicant/State	: Ms. Vaishali Mahilong, Dy. G.A.

Hon'ble Shri 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 has 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), 111(7) of the BNS.



2. The 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 applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any of the alleged offences. It is contended that the prosecution has failed to collect any cogent material connecting the applicant with the alleged crime and that the applicant has been implicated merely on the basis of the memorandum statements of the co-accused, which by themselves constitute a weak piece of evidence. It is further submitted that no stolen property or other incriminating article has been recovered from the possession of the applicant, except for the seizure of his mobile phone and an amount of Rs.50,000/-, which have no nexus with the alleged offence. Learned counsel further submits that some of the co-accused persons have already been enlarged on bail by this Court and, therefore, the applicant is also entitled to the benefit of parity. It is also submitted that the applicant has been in judicial custody since 09.11.2025 and, as the trial is likely to take considerable time to conclude, his further incarceration is unwarranted. The applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution evidence, and he is ready and willing to furnish adequate surety and abide by all such



terms and conditions as may be imposed by this Hon'ble Court.

Accordingly, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused persons have already been granted bail by this Court and the case of the present applicant is identical to that of the co-accused.
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, nature and gravity of offence, the fact that though the present applicant and other co-accused persons were committed theft of gold and silver ornaments along with cash amounting to Rs. 75,000/-, but 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 in MCRC Nos. 221/2026 and 2252/2026 respectively, and the case of present applicant is identical to that of the co-accused persons, further the charge-sheet has been filed in the present case, and he is jail since 09.11.2025, the conclusion of the trial will take some more time, therefore, this Court is of the considered view that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Let the Applicant – **Surya Giri**, involved in Crime No. 159/2025 registered at Police Station - Balrampur, District - Balrampur-Ramanujganj (C.G.), for the offences punishable under Sections 305,



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331(4), 317(2), 317(4), 317(5), 3(5), 111, 111(2), 111(7) of the BNS, be released on bail on his furnishing **personal bond** with **two local 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