



2026:CGHC:21415



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4236 of 2026**

Lavlesh Nirmalkar S/o. Shri Madho Nirmalkar Aged About 26 Years R/o Village Bijabhata, Police Station And Tahsil Kunda District Kabirdham (C.G.)

... Applicant**versus**

State of Chhattisgarh Through District Magistrate Kabirdham (C.G.)

... Non-Applicant

For Applicant : Mr. Syed Afaq Hussain Rizvi, Advocate.

For Non-Applicant/State : Mr. Shubham Bajpai, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****07.05.2026**

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. 219/2025 registered at Police Station Kunda, District – Kabirdham (C.G.), for the offence punishable under Sections 62, 305(a), 331(4), 324(3) of the Bhartiya Nyaya Sanhita, 2023 and Section 3 of the P.D.P.P Act, 1984.
2. As per the prosecution case, in brief, the complainant, Rajendra Kumar Dahire, lodged a report at Police Station Kunda stating that at about 5:30 PM on 14.11.2025, after completing the bank work, he along with other employees locked the bank and went to their respective residences. Thereafter, on 15.11.2025 at about 2:00 AM, information was received



from a nearby villager that someone had broken the bank door, switched off the outside light, changed the direction of the CCTV camera, and that sounds were coming from inside the bank. On the basis of the said report, a crime was registered for the offences punishable under Sections 62, 305(a), and 331(4) of the BNS, and investigation was commenced. During the course of investigation, offences under Section 324(3) of the BNS and Section 3 of the Prevention of Damage to Public Property Act, 1984 were also added. Thereafter, the memorandum of the present applicant was recorded, he was arrested and produced before the trial Court, from where he was remanded to judicial custody.

3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the case merely on the basis of suspicion, and no incriminating article has been seized from his possession. He also submits that the applicant has been arrested solely on the basis of the memorandum statement, which clearly indicates that there is no direct evidence regarding his involvement in the alleged crime, and he was not present at the spot. He submits that the applicant is a 26-year-old young man and a student, and he has neither committed nor been involved in any such offence. The applicant was travelling to Hyderabad for his work during the night in question, and no CCTV footage or photographs have been produced by the prosecution to establish his involvement. He also submits that the applicant is a law-abiding person; therefore, there is no likelihood of his tampering with the prosecution witnesses in any manner whatsoever. He submits that the applicant has no criminal antecedents and he is in jail since 15.11.2025, conclusion of the trial is likely to take some more time. Therefore, he prays for grant of regular bail to the applicant.
4. Learned counsel appearing for the State/non-applicant opposes the bail



application of the applicant. He submits that the allegation against the applicant is that, on the pretext of committing theft, the applicant entered Jila Sahkari Kendriya Bank, Branch Kunda, broke three lockers, and was subsequently caught red-handed at the spot. Considering the nature and gravity of the allegations, the applicant is not entitled to the grant of regular bail in the present case.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the aforesaid facts and circumstances of the case, particularly the serious nature of the allegations against the applicant, namely that he unlawfully entered Jila Sahkari Kendriya Bank, Branch Kunda, with the intention of committing theft, broke three lockers, and was apprehended red-handed at the spot, this Court is not inclined to extend the benefit of regular bail to the applicant. Therefore, looking to the gravity of the offence and the manner in which it was allegedly committed, the bail application filed by the applicant deserves to be and is hereby rejected.
7. Accordingly, the bail application of the applicant - **Lavlesh Nirmalkar**, involved in Crime No. 219/2025 registered at Police Station Kunda, District – Kabirdham (C.G.), for the offence punishable under Sections 62, 305(a), 331(4), 324(3) of the Bhartiya Nyaya Sanhita, 2023 and Section 3 of the P.D.P.P Act, 1984, is **rejected**.
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