



2026:CGHC:21399



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4260 of 2026

Komal Prasad Chandrakar S/o Faguram Chandrakar Aged About 47 Years R/o Village- Karra, H.No. 203 Debripara, Thana - Masturi, District- Bilaspur, Chhattisgarh.

... Applicant

versus

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

... Non-Applicant

For Applicant	: Mr. Bidya Nand Mishra and Mr. Ganesh Ram Burman, Advocate.
For Non-Applicant/State	: Mr. Soumya Rai, Deputy Government Advocate.

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. 213/2026 registered at Police Station – Masturi, District - Bilaspur, (C.G.), for the offences punishable under Section 316(5) of Bharatiya Nyaya Sanhita, 2023.
2. As per the prosecution story, in compliance with the direction dated 30.03.2026 issued by the Collector (Food Department), District Bilaspur, a joint team comprising officials of the Food Department and District Co-operative Bank conducted a physical verification of the stock of paddy



and jute bags at Society Branch, Gatoura (Registration No. 1294).

According to the FIR, the stock verification revealed a shortage of 919.69 quintals of paddy (stored in jute bags), shortage of 750 old jute bags, and shortage of 17 new jute bags supplied for the year 2025–26, as against the stock recorded on the official portal. On the basis of the alleged shortage detected during the physical verification and pursuant to the direction issued by the Collector, Bilaspur, dated 02.04.2026, an FIR came to be registered on 03.04.2026 for the offence punishable under Section 316(5) of the BNSS against the present applicant along with three other persons, namely, Authorized Secretary Rajendra Rathore, In-charge Paddy Procurement Love Kumar Yadav, and Computer Operator Huleshwar Dhirhi, wherein the instant bail application has been filed by the applicant, Komal Prasad Chandrakar. The applicant further respectfully submits that, in undue haste and under extraneous pressure, another FIR bearing No. 0214 dated 03.04.2026 was also registered simultaneously on the very same allegations, pertaining to the same period and nature of accusations.

3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the aforesaid case. He further submits that the charge-sheet has not been filed. Further, the applicant has no previous criminal antecedents. He submits that the other co-accused person has already been granted anticipatory bail by this Court passed in MCRCA Nos. 666/2026 vide order dated 04.05.2026. Therefore, he submits that the present applicant is also entitled to be released on regular bail on the ground of parity.
4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has not been filed in the present case. However, he could not dispute the fact that the co-accused has already



been granted anticipatory bail by this Court.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature of allegations, the material available on record and the fact that the charge-sheet has not been filed in the present case but considering the fact that the other co-accused person has already been granted anticipatory bail by this Court passed in MCRCA Nos. 666/2026 vide order dated 04.05.2026, the applicant has no previous criminal antecedents, and he has been in jail since 03.04.2026 and the conclusion of the trial may take some more time, therefore, this Court is of the view that the present applicant is entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application is **allowed**. Let the Applicant – **Komal Prasad Chandrakar**, involved in Crime No. 213/2026 registered at Police Station – Masturi, District - Bilaspur, (C.G.), for the offences punishable under Section 316(5) of Bharatiya Nyaya Sanhita, 2023., be released on bail on his furnishing **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 her



counsel. In case of his absence, without sufficient cause, the trial court may proceed against her under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure her 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 her, 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**