



2026:CGHC:23759



2026:CGHC:23759

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4701 of 2026**

Rahul Dhruw S/o Late Parasram Dhruw Aged About 25 Years R/o Shiv Nagar, W.R.S. Colony, Khamtarai, Raipur, Dist. Raipur C.G.

... Applicant(s)**versus**

State Of Chhattisgarh Through The Police Station Khamtarai, Dist. Raipur (C.G.)

... Non-applicant(s)

For Applicant	:	Mr. Raza Ali, Advocate.
For Non-applicant/State	:	Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****15.06.2026**

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. 38/2026 registered at Police Station- Khamtarai, District- Raipur (C.G.) for the offence punishable under Sections 305, 331(4), 238, 3(5) of B.N.S.
2. As per the prosecution story, in brief, a complaint was lodged by the complainant alleging that during the absence of the complainant and his family members, the lock of their house was broken and



gold and silver ornaments along with cash were stolen, amounting to a total value of Rs. 85,200/-. Consequently, an FIR was registered under the aforesaid sections against unknown persons. During the course of investigation, one of the co-accused, namely Ravi Swami, was arrested and certain stolen articles were recovered from his possession. Thereafter, on the basis of the memorandum statement of the said co-accused, the present applicant was also arrested.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the applicant has not committed any offence and has been implicated solely on the basis of the memorandum statement of the co-accused Ravi Swami, from whose possession the stolen property was recovered, whereas no recovery has been made from the present applicant. It is further submitted that the main accused namely Ravi Kumar Swami has already been granted bail by this Court in MCRC No. 1684/2026 vide order dated 13.04.2026 and the case of the present applicant stands on a better footing. The applicant has no previous criminal antecedents and in the present case, charge-sheet has been filed before the competent Court and the trial is likely to take some time therefore, he prays for grant of bail to the applicant on the ground of parity.
4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the applicant is involved in a serious offence of house-breaking and theft. It is contended that during the course of investigation, sufficient material has been collected



against the applicant indicating his involvement in the commission of the offence. Therefore, considering the nature and gravity of the allegations and the stage of investigation, it is prayed that the application for grant of bail be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation, period of detention of the applicant since 21.01.2026 and the fact that the charge-sheet has already been filed before the competent Court, this Court finds that further custodial interrogation of the applicant is not required. It is also noteworthy that the applicant has no previous criminal antecedents. Further, the co-accused, namely Ravi Kumar Swami, from whose possession the stolen property was recovered, has already been enlarged on bail by this Court in MCRC No. 1684/2026 vide order dated 13.04.2026. The name of the present applicant surfaced only in the memorandum statement of the said co-accused and no recovery has been effected from the applicant. Considering the principle of parity, coupled with the fact that the trial is likely to take considerable time for its conclusion and without expressing any opinion on the merits of the case, this Court is inclined to grant bail to the applicant.
7. Accordingly the bail application of the applicant is **allowed**.
8. Let the Applicant – **Rahul Dhruw**, involved in Crime No. 38/2026 registered at Police Station- Khamtarai, District- Raipur (C.G.) for



the offence punishable under Sections 305, 331(4), 238, 3(5) of B.N.S, be released on bail on 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 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



2026:CGHC:23759

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.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal