



2026:CGHC:4202

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8314 of 2025

Jitendra Dhruw @ Rabin S/o Late Kriparam Dhruw Aged About 24 Years R/o
Jai Jawan Chowk, Telibandha, Police Station Telibandha, District : Raipur,
Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Telibandha, District : Raipur, Chhattisgarh

... Respondent

For Applicant : Ms. Divya Sahu, Advocate.

For : Ms. Palak Dwivedi, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23/01/2026

1. This is the first bail application filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular
bail to the applicant who has been arrested in connection with Crime
No.725/2023 registered at Police Station Telibandha, District Raipur
(C.G.) for the offence punishable under Sections 380, 457 of Indian
Penal Code.

2. Case of the prosecution, in brief, is that the complainant Virendra Kumar Sahu resides at Jai Jawan Chowk, Chandrakar Para, Telibandha, Raipur. On 15.11.2023, at around 12:00 noon, he went to his in-laws' place at Gullu, Arang, along with his family. On 16.11.2023, at about 6:00 p.m., his brother Kalyan Sahu called him and informed that the door of the house was broken. The complainant told him to go inside and check. When Kalyan Sahu went inside, he saw that the cupboard door was broken and the box containing gold and silver jewellery was lying empty outside. Thereafter, the complainant returned from Gullu to Raipur along with his family at about 7:00 p.m. and found that the house door and cupboard were broke open, and from the cupboard Rs.10,000/ cash, one gold pendant, one silver waistband, two silver anklets, six gold wheat-shaped beads, one silver anklet, one gold chain, four gold locket, one gold ring, two pairs of silver toe rings, four gold wheat-shaped beads, one thick silver anklet, one pair of silver anklets, one gold locket, one pair of silver waistbands, sixteen gold round beads, and other gold and silver ornaments worth about Rs. 2,00,000/- in total had been stolen by some unknown thief after breaking the locks of the house and cupboard. On the basis of this report, Crime No. 725/2023 was registered at Police Station Telibandha, Raipur under Section 380 of the Indian Penal Code, and investigation was initiated. During investigation, the accused/applicant was arrested on 14.10.2024, and based on his memorandum statement, the stolen items, one gold chain, ten gold wheat-shaped beads, two gold leaves, and four gold round beads, were seized. Accordingly, Section 457 of the IPC was also added to the case. After completion of the entire investigation, charge-sheet was submitted

before the competent court.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case and the prosecution case rests solely on circumstantial evidence, mainly the memorandum under Section 27 of the Indian Evidence Act, which is weak and uncorroborated. She would submit that there is no eyewitness, and the alleged recovery is doubtful and only a small fraction of the purported stolen property, which does not establish the applicant's involvement. She would submit that charge sheet has been filed, the applicant is in jail since 16/10/2024 and conclusion of trial will take some time, therefore, she prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and she would submit that charge sheet has been filed in this case before the competent. She would further submit that the applicant has six criminal antecedents, out of which, five cases are of similar nature which are pending, as such he is a habitual offender, therefore the applicant is not entitled for grant of bail.
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 allegation against the applicant, considering the fact that applicant has six criminal antecedents, out of which, five cases of similar nature are pending, as such he is a habitual offender and also in light of the judgment rendered by the Supreme Court in ***Deepak Yadav v. State of Uttar Pradesh & Another***, reported in **(2022) 8 SCC 559**, wherein the Hon'ble Supreme Court had cancelled the bail granted to the

accused therein on the ground that the accused had previous antecedents, therefore this Court is of the opinion that it is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant **Jitendra Dhruw @ Rabin-** involved in Crime No.725/2023 registered at Police Station Telibandha, District Raipur (C.G.) for the offence punishable under Sections 380, 457 of Indian Penal Code, is **rejected**.
8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE