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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 413 of 2026

Prince Soni S/o Manoj Soni Aged About 19 Years R/o Makan No. 208,
Khairbar, District Surguja, Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Station House Officer of Police Station
Bhatgaon District Surajpur (C.G.)

... Non-Applicant

For Applicant	: Mr. Hariom Rai, Advocate
For Non-Applicant/State	: Ms. Anusha Naik, Deputy Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

26.02.2026

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. 147/2025 registered at Police Station- Bhatgaon District Surajpur, (C.G.) for the offence punishable under Sections 303(3), 317(4), 112(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that on the complaint lodged by the complainant, namely Suraj Prasad, regarding the theft of his



motorcycle bearing Registration No. CG-15DR-9071, the concerned police officials initiated investigation and found that a similar offence had been registered at Police Chowki Latorin in connection with Crime No. 239/2025 for offences punishable under Sections 303(2), 317(4) and 3(5) of the BNS, 2023. During investigation of the said crime, one accused, namely Shubham Soni, was apprehended and interrogated, and he allegedly confessed that he, along with other co-accused persons, had committed theft of vehicles and sold the same at a cheaper rate to the present applicant. On the basis of the aforesaid allegations, the present offences have been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present crime. It is submitted that the main accused, Shubham Soni, had sold the vehicle bearing Registration No. CG-15-DR-9071 to the applicant after representing himself as the true owner of the said vehicle and stating that, due to financial crisis, he was compelled to sell the two-wheeler. The applicant had no knowledge whatsoever that the vehicle in question was stolen property. He further submits that the present applicant has one previous criminal antecedent, the charge-sheet has been filed, he is in jail since 13.11.2025, and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed before



the competent Court. She further submits that the present applicant has knowingly purchased the stolen motorcycle from the co-accused at a cheaper rate, which clearly indicates his involvement in the offence. It is contended that the offence is serious in nature, the investigation has revealed his complicity on the basis of the memorandum statement of the co-accused, and further the applicant has one previous criminal antecedent of the year 2025, therefore, considering the gravity of the allegations, the applicant does not deserve to be enlarged on bail.

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 that though the present applicant has committed the said crime, but considering that the applicant is languishing in jail since 13.11.2025, he has one previous criminal antecedent and the charge-sheet has been submitted before the competent Court and the conclusion of the trial may take some more time, therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.
7. Accordingly, the bail application is **allowed**. Let the applicant - **Prince Soni**, involved in Crime No. 147/2025 registered at Police Station- Bhatgaon District Surajpur, (C.G.) for the offence punishable under Sections 303(3), 317(4), 112(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing **a 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 statement under Section 351 of BNSS.



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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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

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

Rahul Dewangan