



2026:CGHC:9541



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 258 of 2026

Vijay Kumar Kashyap S/o Gosai Ram Kashyap Aged About 26 Years R/o Village Malda Kala, Police Station Hasaud, Tahsil Hasaud District Sakti Chhattisgarh (Wrongly Not Been Mention Kumar In The Impugned Order)

... **Applicant**

versus

State Of Chhattisgarh Through Station House Office The Police Station Mana Camp, District Raipur Chhattisgarh

... **Respondent**

For Applicant : Shri Dheerendra Pandey, Advocate.

For : Ms. Sameeksha Gupta, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

24/02/2026

1. This is the third bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.157/2025 registered at Police Station Mana Camp, Raipur, District Raipur (C.G.) for the offence punishable under Sections 331(4), 305 of B.NS.



2. Case of the prosecution, in brief, is that the complainant has lodged a report to the concerned police Station, alleging that on the date of incident, the unknown persons have entered in the shop and committed theft of cash amount of Rs. 12,00,000/- & 17,00,000/- total amount of Rs. 27,00,000/- from cabin of his shop. Based upon such complaint made by the complainant, the police has registered the case under section 331(4), 305 of Bharatiya Nyay Sanhita, 2023 against the unknown persons and after the investigation, the police has arrested the present applicant on the memorandum statement.
3. Learned counsel for the applicant submits that this is the third bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 18/07/2025 in MCRC No.5656/2025 and the second bail application was not dismissed on merits. He would submit that so far as status of the trial is concerned it reflects from the order sheet that the charges were framed against the applicant on 18/07/2025 and the summons were also issued on the said date for recording of the prosecution witnesses but till date none of the prosecution witness has appeared to get their evidence recorded. He would submit that moreover the amount in question of the complainant has already been recovered from the applicant. He would submit that the applicant is languishing in jail since 29/05/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the materials available on record.



6. From perusal of the records, it transpires that this is the third bail application of the applicant and the first bail application of the applicant was rejected by this Court on merits vide order dated 18/07/2025 in MCRC No.5656/2025 and the second bail application was not dismissed on merits. So far as status of the trial is concerned, it reflects from the order sheet that the charges were framed against the applicant on 18/07/2025 and the summons were also issued on the said date for recording of the prosecution witnesses but till date none of the prosecution witness has appeared to get their evidence recorded, moreover the amount in question of the complainant has already been recovered from the applicant, applicant is languishing in jail since 29/05/2025 and considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the third bail application is allowed and it is directed that the Applicant- **Vijay Kumar Kashyap**, involved in Crime No.157/2025 registered at Police Station Mana Camp, Raipur, District Raipur (C.G.) for the offence punishable under Sections 331(4), 305 of B.NS., 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. 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.

Sd/-

(Ramesh Sinha)

CHIEF JUSTICE