



2026:CGHC:3079



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 662 of 2026**

1 - Arjun Ratre S/o Rajendra Ratre Aged About 23 Years R/o Birgahni, Budgahan, P.S.- Balouda, Distt.- Janjgir-Champa C.G.

2 - Virendra Kumar Patel S/o Dilip Kumar Patel Aged About 35 Years R/o Ward No. 9, Depra Para, P.S.- Balouda, Distt.- Janjgir-Champa C.G.

... Applicants**versus**

1 - State of Chhattisgarh Through Police Station House Officer, P.S. Shivrinarayan, Dist.- Janjgir-Champa C.G.z

... Respondent**(Cause title is taken from Case Information System)**

For Applicants : Ms. Vaishali Jeswani, Advocate
 For Respondent/State : Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****19.01.2026**

- The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No.382/2025, registered at Police Station – Shivrinarayan, District – Janjgir-Champa (C.G.) for the offence punishable under Sections 317(2), 317(4), 317(5), 61(2), 112(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- The case of the prosecution, is that on 04.09.2025 at around 10:00



PM-11:00 PM, the applicants herein along with other co-accused persons broke the locks of several vehicles parked at various places in Janjgir-Champa and stole diesel measuring to 600-500 liters which was being taken to be sold to co-accused Vijaysahu. When the vehicle was intercepted by the police, the applicants herein ran away and the seizure of diesel was made from co-accused Dilesh Kurre and Annu Sande.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is argued that on 03.09.2025, during the course of search, the police seized 630 liters of stolen diesel from co-accused Vijay, and the name of the present applicant does not appear in the FIR. The implication of the applicant is solely based on the memorandum statement of the co-accused. It is further submitted that a similarly situated co-accused, namely Vijay Sahu, has already been granted bail by this Court in MCRC No. 7680 of 2025 vide order dated 17.11.2025. Learned counsel also submits that although there are two common criminal antecedents registered against the applicants, the charge-sheet in the present case has already been filed. The applicant is in custody since 29.10.2025, and the trial is likely to take a considerable time for its conclusion. On these grounds, prayer is made for grant of bail on the ground of parity.
4. Per contra, learned counsel for the State opposes the bail application and submits that the applicants have two common criminal antecedents registered against him, bearing Crime No. 384 of 2025 for offences under Sections 303(2), 61(2), 221, 132, and 112(2) of the BNS, and Crime No. 382 of 2025 for offences under Sections 303(2), 61(2), and 112(2) of the BNS, which are pending trial. It is further



submitted that the allegations against the applicants are serious in nature; hence, the applicants are not entitled to the benefit of bail.

5. I have heard learned counsel for the parties and perused the case-diary and other material available on record.
6. Considering the overall facts and circumstances of the case, the nature of allegations, the manner of implication of the applicant, the fact that the co-accused Vijay Sahu has already been granted bail by this Court in MCRC No. 7680 of 2025 vide order dated 17.11.2025., the filing of the charge-sheet, the period of custody undergone by the applicants since 29.10.2025, and the likelihood of the trial taking a considerable time for its conclusion, without commenting on the merits of the case, this Court is inclined to allow the applications on the ground of parity.
7. Let applicants, **Arjun Ratre** and **Virendra Kumar Patel**, involved in Crime No..382/2025, registered at Police Station – Shivrinarayan, District – Janjgir-Champa (C.G.) for the offence punishable under Sections 317(2), 317(4), 317(5), 61(2), 112(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS), 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 forthwith.

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

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