



CGHC010248152026



2026:CGHC:31554

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No.5831 of 2026

1 - Sagar Shrivastava S/o Ramesh Shrivastava, Aged About 23 Years R/o R.D.A. Colony, I Block 105, Indraprastha P.S. D.D. Nagar, District-Raipur, Chhattisgarh

Applicant (s)

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station D.D. Nagar, District- Raipur (C.G.)

Respondent(s)

For Applicant (s) : Mr. C. R. Sahu, Advocate

For Respondent(s) : Ms. Palak Dwivedi, PL

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.07.2026

1. This is the first bail application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.591/2025, registered at Police Station D. D. Nagar, District Raipur (C.G.) for the offence punishable under Sections 331 (4), 305 (a) & 3 (5) of BNS.

2. The case of the prosecution, in brief, is that the complainant lodged a report to the concerned police station alleging therein that some unknown persons entered in his house and committed theft of some silver, gold etc., thereafter a case was registered against the unknown persons and during investigation, the applicant was arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in crime in question. He further submitted that the police has not seized any article from the possession of the applicant and only on the basis of memorandum statement of other co-accused persons and merely on suspicion, the applicant was arrested. He next submitted that the applicant is in jail since 16.02.2026, he has no criminal antecedents and trial is likely to take quite long time for its conclusion, therefore, he prays that the applicant be released on regular bail.
4. On the other hand, learned State counsel opposes the bail application of the applicant and submits that the applicant is involved in commission of theft along with other co-accused persons, as such he is not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused all the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature of allegation and for the fact that the applicant has

no criminal antecedents, the applicant is in jail since 16.02.2026 and conclusion of the trial is likely to take some time, therefore, without commenting anything on the merits of the case, I am inclined to allow this application.

7. Accordingly, the instant bail application of the applicant is allowed.
8. Let the Applicant – **Sagar Shrivastava**, involved in Crime No.591/2025, registered at Police Station D. D. Nagar, District Raipur (C.G.) for the offence punishable under Sections 331 (4), 305 (a) & 3 (5) of BNS, 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 their counsel. In case of their 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.”

9. 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

Nirala