



CGHC010333592026



2026:CGHC:38581

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8004 of 2026

Jaleshwar Prasad Kenwat S/o Shri Manohar Lal Aged About 37 Years
R/o Village Banahil, P.S. Mulmula, Distt. Janjgir-Champa Chhattisgarh
... **Applicant(s)**

versus

State Of Chhattisgarh Through S.H.O., P.S. Akaltara, Distt. Janjgir-
Champa Chhattisgarh
... **Respondent(s)**

For Applicant(s) : Mr. Ravindra Sharma, Advocate.

For Respondent(s) : Ms. Anusha Naik, Deputy Government Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

01/09/2026

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. 420/2026 registered at Police Station Akaltara, Distt. Janjgir-Champa (C.G.) for the offence punishable under Sections 306, 331(4), 317(2), 3(5) of BNS.

- 2.** Case of the prosecution, in brief, is that on 19.07.2026, the complainant, Akhilesh, along with Premchand Kumar and Ajay Yadav, had gone for patrolling duty at the J.S.W. Power Plant, Police Station Akaltara. At about 06:15 a.m., near the under-construction drain on the road leading towards the coal and ash area, they noticed some persons whom they suspected to be committing theft. On seeing the patrolling vehicle, four persons fled from the spot, out of whom Jaleshwar Prasad Kevat was apprehended. He was identified as an electrician working at the J.S.W. Power Plant. Four black bags found at the spot were checked, wherein 38 small and large pieces of copper plates were found, valued at approximately Rs.2,00,000/-. During interrogation, Jaleshwar disclosed the names of his associates, namely, Santosh Rajak, Dinesh Rathore and Gopesh Sahu, stating that all four were employees of the J.S.W. Power Plant and had committed theft of the copper plates during the night shift on 18.07.2026. On the basis of his memorandum statement, 38 copper plates were recovered and seized from his possession. Accordingly, the offences were registered against the applicant and co-accused persons. The applicant was arrested on 19.07.2026 at about 02:20 p.m. and was subsequently produced before the competent Court. Hence, the bail application.
- 3.** Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the applicant was

performing his night duty at the plant and, after completion of his shift, was proceeding towards his home when he was allegedly implicated in the present case, the alleged stolen copper plates were already lying in a covered area inside the plant and were not recovered from the possession of the applicant. He also submits that the applicant has been falsely implicated with an ulterior motive, and the seizure memo was prepared after about eight hours so as to show recovery of the alleged stolen articles from him, whereas, as per the prosecution itself, the applicant and the alleged stolen articles were found inside the plant premises. He later submits that other co-accused persons, who are alleged to have fled from the spot, have already been granted bail by the learned trial Court. The applicant is in jail since 19.07.2026, the applicant has no criminal antecedent, charge-sheet has been filed 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 in the present case. She further submits that the allegation against the applicant is that he, along with the co-accused persons, committed theft of copper plates from the J.S.W. Power Plant during the night shift on 18.07.2026. The applicant is alleged to have been involved in the theft of 38 copper plates, valued at approximately Rs.2,00,000/-. Therefore, the applicant is not entitled for grant of 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, nature and gravity of offence, period of detention of the applicant since 19.07.2026, the fact that though the applicant allegedly in collusion with co-accused persons, committed theft of 38 copper plates from the J.S.W. Power Plant during the night shift on 18.07.2026, valued at approximately Rs.2,00,000/-, and thereafter fled from the spot on being noticed by the patrolling party, but considering the fact that the applicant has no criminal antecedent and other co-accused persons who are alleged to have fled from the spot, have already been granted bail by the learned trial Court, the charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Jaleshwar Prasad Kenwat**, involved in Crime No. 420/2026 registered at Police Station Akaltara, Distt. Janjgir-Champa (C.G.) for the offence punishable under Sections 306, 331(4), 317(2), 3(5) of 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.

9. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE