CGHC010374232026 2026:CGHC:44734

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9283 of 2026

Pradeep Soni S/o Sachin Soni Aged About 24 Years R/o Shanti Nagar, Musakhedi, Police Station Tilaknagar, District Indore Madhya Pradesh.

... Applicant

versus

State Of Chhattisgarh Through Police Station Sakri, District - Bilaspur Chhattisgarh. **... Non-Applicant**

For Applicant	**:**	Mr. Barun Kumar Mishra, Advocate
For Non-Applicant	**:**	Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

15/10/2026

1. This is the fourth bail application filed on behalf of the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No. 100/2025 registered at Police Station Sakri, District Bilaspur (C.G.), for the offences punishable under Sections 305(A), 331(4), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Applicant's third bail application was dismissed for want of prosecution on 17.09.2026 passed in mcrc no. 8665 of 2026 by this Court, whereas, his 1st & 2nd bail applications were rejected on merits by the coordinate bench.

3. The case of the prosecution, in brief, is that on 26.02.2025, the complainant, Ashish Kaushik, lodged a written report at Police Station Sakri stating that on 14.02.2025, at around 09:00 PM, he had locked his house situated at Ashma City, Bilaspur, and left for Uttar Pradesh with his family. Upon returning on 26.02.2025 at about 06:00 AM, he discovered that the central lock of the main entrance door and the almirahs kept in the bedroom and hall were broken, and the household articles were scattered. Cash amounting to Rs. 2,000/-, along with a gold bindiya and a silver anklet worth approximately Rs. 40,000/- in total were found missing. Based on the complaint, an FIR was initially registered against unknown persons under Sections 305(A), 331(4), and 3(5) of the BNS, and an investigation commenced. During the course of the investigation, information was received that in connection with Crime No. 366/2024 registered at Police Station Pandri, District Raipur (under Sections 305(A), 331(4), and 3(5) of the BNS), three persons namely Pradeep Soni (the present applicant), Anil Bhuria, and Sohbat Singh were taken into custody on 02.03.2025. Upon recording their memorandum statements, the accused persons allegedly confessed to committing theft at Ashma City, Bilaspur as well. The stolen property belonging to the complainant was recovered from their possession in connection with the proceedings in Crime No. 366/2024 of P.S. Pandri. Following completion of the investigation, a charge-sheet was filed before the competent jurisdictional court.

4. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the FIR was registered against unknown persons, and no eye-witness accounts exist to support the prosecution’s version. He would also submit that the investigation is complete, the charge-sheet has already been filed, and no incriminating article or stolen property was directly recovered from the exclusive possession of the

applicant. He would contend that the applicant has been in custody since 17.03.2025, and the independent witnesses to the memorandum and seizure have turned hostile during trial. He would further contend that co-accused, namely Sohbat Bhuriya, who stands on identical footing, has already been enlarged on regular bail by this Court vide order dated 20.08.2026 passed in MCRC No. 7747 of 2026, and the applicant is therefore entitled to bail on the ground of parity. He would also contend that there is prolonged delay in the trial, as only two out of seven prosecution witnesses have been examined so far; and the applicant is a permanent resident of Indore (M.P.), is ready to furnish adequate solvent surety, and will abide by all conditions imposed by this Court; thus, he may be enlarged on regular bail.

5. On the other hand, learned counsel appearing for the State opposes the application and submitted that the applicant was actively involved in house-breaking and theft, and the stolen articles were recovered based on the memorandum statements of the accused persons; thus, he may not be enlarged on bail.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. From a perusal of the case diary, it is apparent that the complainant-Ashish Kaushik, lodged a report at Police Station Sakri, District Bilaspur, on 26.02.2025, stating that he had locked his house at about 9:00 p.m. on 14.02.2025 and had gone to Prayagraj, Uttar Pradesh, with his family to attend the Mahakumbh Mela. Upon returning home at about 6:00 a.m. on 26.02.2025, he found that the central lock of the main door had been broken. On entering the house, he further found that the locks of the cupboards in the bedroom and hall had been broken and the articles kept therein were scattered. Upon verification, he discovered that cash amounting to ₹2,000/-, a gold bindi, and a silver anklet,

collectively valued at approximately ₹40,000/-, had been stolen by an unknown person. On the basis of the said report, Police Station Sakri registered a crime against an unknown accused under Sections 331(4), 305(a) and 3(5) of the Indian Penal Code and took up the investigation.

8. During the course of investigation, applicant and co-accused persons namely Anil Bhuria and Sohbat Singh had been taken into custody on 02.03.2025. During the course of interrogation, their memorandum statements were recorded, wherein they also admitted to having committed theft at Aasma City, Bilaspur. The stolen articles belonging to the complainant, Ashish Kaushik, were subsequently seized from the possession of the accused persons arrested in connection with Crime No. 366/2024 of Police Station Pandri.

9. Considering the fact that the present application is the fourth bail application preferred on behalf of the applicant, it is noted that the applicant seeks bail primarily on the ground of parity with co-accused Sohbat Bhuriya. In this regard, a perusal of the order dated 20.08.2026 passed in M.Cr.C. No. 7747 of 2026 reveals that the said co-accused was enlarged on bail on the ground that nothing had been seized from him and no stolen property had been recovered from his possession. In contrast, the case of the prosecution against the present applicant stands on a different footing, as the stolen articles were recovered pursuant to his disclosure statement. Further, the applicant has three criminal antecedents of a similar nature registered against him in the years 2024 and 2025, indicating his involvement in similar offences on previous occasions, I am not inclined to allow this bail application. Accordingly, this bail application is hereby **rejected**.

Sd/-
Rakesh Mohan Pandey

JUDGE

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