

Bail Application No. 1659/2026
State Vs. Kamal Kishor Kumawat
FIR No. 538/2024
U/s 318, 319, 61(2) BNS
PS Special Cell, IFSO

13.07.2026

Present : Sh. Rajesh Kumar, Ld. Addl. PP for the state.
Adv. Subhashish Kumar, Ld. Counsel for applicant / accused.
Adv. Shilpi Jain, Adv. Akash Verma, Adv. Priyanka Basyan and
Adv. Azhan Ali, Ld. Counsel for the complianant.

ORDER ON 2nd REGULAR BAIL APPLICATION U/S 483 BNSS, 2023

1. BRIEF:

1.1. The applicant Kamal Kishor Kumawat, proprietor of Shree Ram Transport and Battery, Bhilai, Chhattisgarh, has filed the present 2nd regular bail application u/s 483 BNSS in FIR No. 538/2024 dated 27.11.2024, PS Special Cell, IFSO, u/s 318, 319, 61(2) BNS. The FIR was registered on complaint of Sh. Arun Kumar Jain who was induced to invest in a WhatsApp-based fraudulent group and cheated of approximately Rs. 18.84 Crores routed through 26 mule accounts. As per prosecution, Rs. 98,00,000/- was credited into UCO Bank A/c No. 10050210004852 of the applicant, opened and operated by him using his Aadhaar, PAN and mobile No. 8209315973. The applicant was arrested on 21.11.2025 and is in JC since then. Chargesheet has been filed. His first bail application was dismissed by Ld. CMM on 25.03.2026 and second bail was dismissed by this Court on 20.04.2026.

2. ARGUMENTS OF LD. COUNSEL FOR THE APPLICANT:

2.1. Ld. Counsel submits that applicant is a daily wage manual labourer suffering from epilepsy and right hypochondrium-ventricle, falsely implicated with no criminal antecedents. He is not the beneficiary and did not operate the account; the banking kit was handed over to others and he received only a fixed nominal sum. Investigation is complete, chargesheet filed, and he has been in custody for over 220 days. He is permanent resident of Rajasthan, sole breadwinner for aged father and brother, and undertakes to abide by conditions. Reliance is placed on **Satender Kumar Antil v. CBI and Moti Ram v. State of MP.**

3. ARGUMENTS ON BEHALF OF STATE:

3.1. Ld. Addl.PP assisted by Ld. Counsel for the complainant vehemently opposes submitting that applicant is not a mere name lender but active participant who knowingly allowed use of his account for routing Rs. 98 Lakhs of crime proceeds. Digital and documentary evidence including KYC, CAF, ITR, email ID and telecom records establish his role. Notices u/s 35(3) BNSS were returned undelivered, he absconded and was arrested after NBWs on 21.11.2025. He may tamper with evidence, influence witnesses and hamper ongoing investigation qua other accused. The offence involves large-scale organized cyber fraud and serious economic crime.

4. OBSERVATIONS OF THE COURT:

4.1. Heard and perused. The case pertains to organized cyber fraud of Rs. 18.84 Crores wherein Rs. 98 Lakhs was credited to applicant's account admittedly opened by him with his KYC. Prima facie material including money trail, mobile number, email ID and banking records

shows conscious facilitation in layering proceeds of crime. The applicant absconded after registration of FIR, did not cooperate during investigation, and was arrested after issuance of NBWs. Though chargesheet is filed, investigation qua other co-accused and complete money trail is continuing and no recovery has been effected from applicant.

4.2. The applicant has no criminal antecedents and is in JC since 21.11.2025. However, considering gravity and magnitude of offence, role as Layer-1 account holder for Rs. 98 Lakhs, conduct of abscondence and non-cooperation, and that trial is yet to commence, this Court is not inclined to grant bail at this stage. The apprehension of tampering and flight risk cannot be ruled out. Balancing liberty with societal interest and in view of settled law, the applicant has not made out a case for bail presently.

4.3. **FINAL ORDER:**

4.4. Accordingly, the present 2nd regular bail application u/s 483 BNSS stands dismissed.

4.5. However, the applicant is at liberty to file fresh bail application if charges are not framed within 3 months from today, on the ground of delay in trial.

4.6. Nothing observed herein shall amount to an expression on merits.

4.7. Copy of the order be given dasti.

(SAURABH PARTAP SINGH LALER)
ASJ-05/New Delhi District
PHC / New Delhi / 13.07.2026