



2026:CGHC:4143



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 564 of 2026

Rishikant Tiwari S/o Chandeshwar Tiwari Aged About 38 Years R/o Village -
Sonpur, Thana - Ambikapur, District - Sarguja Chhattisgarh
...**Applicant**

versus

State Of Chhattisgarh Through Station House Officer Anti-Corruption
Bureau, Ambikapur, District Sarguja, Chhattisgarh ...**Respondent**

For Applicant : Mr. Jitendra Pali, Advocate.

For Non-Applcant/State : Mr. Priyank Rathi, Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.01.2026

1. The applicant has preferred this Second Bail Application under Section 483 of B.N.S.S. for grant of regular bail, as he has been arrested in connection with Crime No. 63/2025, registered at Police Station : Anti-Corruption Bureau Ambikapur District – Sarguja (C.G) for the offence punishable under Section 7 Prevention of Corruption Act, 1989.



2. The earlier bail application of the applicant was dismissed as infructuous by this Hon'ble Court vide order dated 25.11.2025 passed in MCRC No. 9512 of 2025.
3. The prosecution story, in brief, is that one Shri December Singh submitted a written complaint before the Anti-Corruption Bureau, Ambikapur, alleging that the applicant, who was posted at Janpad Panchayat under the Chhattisgarh Sub-Divisional Mechanical Services, had demanded illegal gratification of approximately ₹15,000/- for preparing an estimate relating to the construction of a pond in the village, and on the basis of the said complaint, the Anti-Corruption Bureau organized a trap, pursuant to which on 12.11.2025 the applicant was allegedly caught while accepting the aforesaid amount, where after Crime No. 63/2025 was registered against him and he was arrested.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, he further submits that in the present case and the allegations of demand and acceptance of illegal gratification are wholly incorrect, concocted, and contrary to the true facts of the case, as the alleged amount of Rs.15,000/- pertains only to *bona fide* commercial dues towards the cost of cement purchased by the complainant from the shop of the applicant's nephew, which the complainant was deliberately avoiding to pay; that the estimation report relating to the construction of the pond had already been prepared and duly submitted by the applicant on 16.10.2025, much prior to the alleged trap date, thereby completely ruling out any occasion, motive, or necessity for demanding illegal gratification; that



the pond had already been constructed on the complainant's land, the measurement and estimation process stood completed, and the Fisheries Inspector had already recommended payment, rendering the allegations of demand of bribe illogical and improbable; that the complainant, instead of making payment directly to the applicant's nephew, maliciously approached the applicant and lodged a frivolous and motivated complaint before the ACB only to avoid his genuine liability and to falsely implicate the applicant that the applicant has no previous criminal antecedents, enjoys a clean service record, and holds a respectable standing in society that he is innocent and has been implicated solely on the basis of a false and motivated complaint, and any continued prosecution or custodial action would cause irreparable damage to his reputation, service career, and social standing; that the applicant is a permanent resident of the address mentioned in the cause title and a serving Government employee, leaving no likelihood of his absconding or evading the process of law, therefore, the applicant is also entitled to be released on regular bail.

5. On the other hand learned State counsel opposes the bail application of the applicant and submits that the charge-sheet has been filed in the present case.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, it is noted that this is the second bail application filed by the applicant and that the earlier bail application was dismissed as infructuous by this Hon'ble Court vide order dated 25.11.2025 passed in MCRC No. 9512



of 2025; further considering that the applicant has been in judicial custody since 12.11.2025 and has already been placed under suspension from service and also taking into account that the applicant has no criminal antecedents, this Court is of the considered view that the applicant deserves to be released on bail in the present case.

8. Let the Second Bail of the Applicant – **Rishikant Tiwari** , involved in Crime No. 63/2025, registered at Police Station : Anti-Corruption Bureau Ambikapur District – Sarguja (C.G) for the offence punishable under Section 7 Prevention of Corruption Act, 1989, be released on bail on furnishing **personal bond** with **two local 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



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(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 concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

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