



2026:CGHC:3024



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 631 of 2026

Dhananjay Yadav S/o Shivkumar Yadav Aged About 30 Years R/o Village Jaitpuri, P.S. Navagarh, District Bemetara C.G.

... Applicant(s)

versus

State Of Chhattisgarh Through P.S. City Kotwali, Baloda Bazar, District- Baloda Bazar- Bhatapara C.G.

... Respondent(s)

For Applicant(s) : Mr. Tanmay Thomas, Advocate.

For Respondent(s) : Ms. Anusha Naik, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

19/01/2026

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. 678/2025 registered at Police Station City Kotwali, Baloda Bazar, District- Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 420 of the Indian



Penal Code and Sections 66(C) and 66(D) of Information Technology Act.

2. The prosecution case arises from an investigation by City Kotwali Police, Baloda Bazar, into fraudulent issuance of SIM cards through Point of Sale (POS) devices. During the investigation, one Tukeshwar Kumar was called as he was shown as the registered owner of Mobile No. 7509188697. Tukeshwar Kumar stated that the said SIM card had been falsely activated in his name without his knowledge. Upon further investigation, the police summoned Shubham Yadav, who runs Pappu Mobile Shop at New Bus Stand, Baloda Bazar. Shubham Yadav disclosed that he had employed the present applicant, whose duty was to activate SIM cards, and that the applicant used to activate SIM cards to fulfill the company's target of 250 SIM activations. 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 co-accused, namely, Shubham Yadav, in whose memorandum statement, name of present applicant has come into light, co-accused, namely, Dhananjay Yadav and Abhay Kumar Sahu have already been granted bail by this Court vide order dated 04.11.2025, 17.12.2025 and 08.01.2026 in MCRC Nos.7773/2025, 9967/2025 and 101/2026 and the case of present applicant is identical to that



fo the aforementioned co-accused persons. The applicant is in jail since 16.07.2025, the applicant has one criminal antecedent of identical nature, in which applicant is on bail, 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 applicant is alleged to have fraudulently activated SIM cards in the name of persons without their knowledge to meed company activation targets, further the applicant has one criminal antecedent of identical nature, therefore, he 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 16.07.2025, the fact that though the applicant is alleged to have fraudulently activated SIM cards in the name of persons without their knowledge to meed company activation targets, but considering the fact that co-accused, namely, Shubham Yadav, in whose memorandum statement, name of present applicant has come into light, co-accused, namely, Dhananjay Yadav and Abhay Kumar Sahu have already been granted bail by this Court vide order dated 04.11.2025, 17.12.2025 and 08.01.2026 in MCRC



Nos.7773/2025, 9967/2025 and 101/2026 and the case of present applicant is identical to that of the aforementioned co-accused persons, so far as criminal antecedent of the applicant is concerned, applicant has only one criminal antecedent, which is of identical nature, in which he is on bail, further 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-**Dhananjay Yadav**, involved in Crime No. 678/2025 registered at Police Station City Kotwali, Baloda Bazar, District- Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 420 of the Indian Penal Code and Sections 66(C) and 66(D) of Information Technology Act, 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

Akhil