



2026:CGHC:15140



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 618 of 2026

Ghanshyam Tandan (Accused No. 02) S/o Shri Ramayan Das Tandan Aged About 46 Years Director, Mother India Convent Private School Bade Devgaon, P.S. Kharsia, Tahsil- Kharsia, District- Raigarh, R/o Village- Adbhar, Tahsil And District- Sakti (C.G.) Mb. 9340223389

... Applicant

versus

State Of Chhattisgarh Through The S.H.O. Of The Kharsia District- Raigarh, Crime No. 0607/2025, P.S. And Tahsil- Kharsia, District- Raigarh (C.G.)

... Respondent

For Applicant : Shri Ragvendra Pradhan, Advocate.

For : Ms. Anusha Naik, Dy.G.A.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

01/04/2026

1. Shri Ragvendra Pradhan, Advocate submits that he has filed his power in this case and he is permitted to argue the case.
2. 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.0607/2025 registered at Police Station Kharsia Raigarh (C.G.) for the offence punishable under Sections 318(4), 3(5) of BNS.

3. Case of the prosecution, in brief, is that on 29.11.2025, the Block Education Officer, Kharsiya lodged an FIR alleging that the co-accused Smt. Shanti Tandan along with present applicant fraudulently opened and operated a non-government school, namely Mother India Convent School at Bade Devgaon, and illegally withdrew an amount of Rs.22,52,281/- from the Education Department by falsely showing government school students as enrolled in the said private school for the purpose of claiming student fee and uniform reimbursement. After investigation, the police filed a charge-sheet against the accused persons and arrested them for the said offences. Hence, the bail application.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He would submit that the present applicant who is Director of the School has not committed any offence and he is running total 05 School including the present School Mother India Convent Private School Bade Devgaon and governing the legal way. He would submit that co-accused Smt. Shanti Tandan has been granted bail by this Court in MCRC No.745/2026 on 21/01/2026. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 29/11/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
5. On the other hand, learned State Counsel opposes the bail application and she would submit that charge sheet has been filed in this case



before the competent court but she do not dispute the fact that co-accused has been granted bail by this court.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, nature of allegation levelled against the applicant, further the fact that co-accused Smt. Shanti Tandan has been granted bail by this Court in MCRC No.745/2026 on 21/01/2026, period of detention of the applicant since 29/11/2025, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, this Court is of the view that the applicant is entitled to be released on bail in this case.
8. Accordingly, the bail application is allowed and it is directed that the Applicant- **Ghanshyam Tandan**, involved in Crime No.0607/2025 registered at Police Station Kharsia Raigarh (C.G.) for the offence punishable under Sections 318(4), 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