



2025:CGHC:4138

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. (A) No. 63 of 2026

Najakat Ali S/o Shafqat Ali Aged About 42 Years R/o House No. 261 / 1, Rasid Nagar,
P S - Lisadi Road Meerut, District : Meerut, Uttar Pradesh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Shankargarh, District- Balrampur-
Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	-	Shri Mateen Siddiqui, Advocate.
For Respondent/State	-	Shri Shri Rohitashya Singh, Dy. G.A..
For Complainant	-	Shri Ashutosh Mishra, Advocate.

Hon'ble Shri Justice Sachin Singh Rajput

Order on Board

19-01-2026

1. Heard.
2. This is a First Bail application for grant of anticipatory bail filed by the applicant under Section 482 of the Bhartiya Nagrik Suraksha Sahita, 2023 who is apprehending his arrest in connection with Crime No.132/2020 registered at Police Station – Shankargarh, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Sections 392, 420, 34 and read with section 120(B) of Indian Penal Code.
3. Case of the prosecution, in brief, is that on 11.12.2020 FIR was lodged by the complainant namely Rupesh Kumar Agrawal in Police Station Shankargarh alleging that on 10.12.2020 he had invited Baba Sanjay Sharma alias Sachidanand, Ashutosh Singh and Sanjay Mishra to his house for performing a religious prayer (Shantipath). It is alleged that those persons came there at

about 01:30PM in a Scorpio Vehicle bearing registration No. MP-19-CB-9280 and that for the purpose of that prayer Silver idols of Lord Ganesh and Goddess Lakshmi along with a cash of Rs.1,71,000/- were kept on a plate used for performance of the said ritual. It is further alleged that after the ceremony was over, Baba Sanjay Sharma alias Sachidanand told that the articles used for the religious prayer should be immersed in a river and that the cash and idols should be purified by sprinkling water. Thus acting on the said instructions the applicant herein along-with his associate Indra Dev Singh accompanied the Saint to the river in their vehicle for immersion. Thereafter at about 04:00PM when the applicant was proceedings towards the river, said saint posed him from behind making the applicant fall on the ground and then robbed him of the gold chain worn by him weighing 03 tolas worth Rs.1,00,000/- along-with the cash of Rs.1,71,000/- and the Silver idols mentioned above. However, as there was a network issue, the applicant could not make any phone call. However, as the miscreants could not be traced, the FIR came to be lodged for the offences mentioned above.

4. Learned counsel for the applicant submits that the applicant's name is not mentioned in the FIR, that his name only surfaced after the other accused Sanjay Mishra was apprehended and in his memorandum it has been stated by him that the other co-accused Sanjay Sharma whose name is in the FIR is in fact Najakat Ali (present applicant). He submits that the story put-forth by the prosecution appears to be unreasonable that for performing a 'Pooja' near a pond a person would carry Rs.1,71,000/-. He submits that co-accused namely Ashutosh Singh has been granted regular bail by this Court in M.Cr.C. No.338/2021 vide order dated 22/02/2021. He submits that though the anticipatory bail of the co-accused Sanjay Mishra was rejected by this Court on 02/12/2022 in M.Cr.C. No. 1415/2024, however he was apprehended after five years i.e 08/10/2025 and that is how the name of the applicant came into picture. He submits that in changed circumstances where a compromise has

been arrived at between the applicant and complainant, the applicant may be granted anticipatory bail.

5. Counsel for the complainant submits that as a compromise between the applicant and the complainant has been arrived at, he has no objection in grant of anticipatory bail to the applicant.
6. State Counsel however opposes the application for anticipatory bail and submits that looking to the seriousness of the offence alleged, the applicant is not entitled for anticipatory bail and therefore, the application is liable to be rejected.
7. Heard learned counsel for the parties and perused the documents.
8. From the perusal of material collected by the prosecution during investigation it is apparent that the present applicant had impersonated himself as Sanjay Sharma and that with the connivance of other accused persons he committed the offence alleged against him. The other accused namely Sanjay Mishra whose application for anticipatory bail was rejected in the year 2022 and when he was arrested in the year 2025, the prosecution came to know that the applicant and the person namely Sanjay Sharma mentioned in the FIR are one and the same person. In these circumstances, looking to the nature of allegation and the fact that the name of the applicant very much finds place in the FIR, the investigation has to be carried out properly, and for that the custodial interrogation of the applicant would be necessary. Being conscious of the fact that the incident had taken place in the year 2020, that the name of the applicant finds place in the FIR as one of the accused, that he impersonated himself to be Sanjay Sharma, that the applicant appears to be an influential person and the compromise between the applicant and the complainant appears to be as an effect of the said influence, and being all this, the possibility of investigation being tempered with after grant of anticipatory bail cannot be ruled out. The other person namely Ashutosh Singh, as argued

to have been bailed out, was granted regular bail and not the anticipatory bail. The argument of the applicant that no person would carry a huge amount of Rs.1,71,000/- for Pooja purposes etc. are to be looked into at an appropriate stage, and not at the stage of bail. In aforesaid view of the matter, this Court is not inclined to grant anticipatory bail to the applicant. Application is accordingly rejected.

Sd/-

(Sachin Singh Rajput)
Judge

J./Ashish