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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 635 of 2026

Lochan Prasad Sahu S/o Firat Ram Sahu Aged About 50 Years R/o Village Bargadi, Thana Bamhnidih, District Janjgir Champa, Chhattisgarh.

... **Applicant**

versus

State of Chhattisgarh Through P.S. Bamhnidih, District Janjgir Champa, Chhattisgarh.

... **Non-Applicant**

For Applicant : Mr. Vikas Kumar Pandey, Advocate.

For Non-Applicant/State : Ms. Anusha Naik, Deputy Govt. Advocate

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. 100/2025 registered at Police Station-Bamhnidih, District Janjgir Champa, (C.G.) for the offence punishable under Sections 316(4), 316(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023.
2. Case of the prosecution, in brief, is that the complainant, namely Gagan Jaipuriya, who is the owner of a petrol pump, lodged a written report alleging that the Manager of the petrol pump, Niraj



Sahu, in connivance with his father, the present applicant, and his brother, misappropriated an amount of Rs.65,00,000/- during the period from 26.01.2025 to 23.09.2025, which came to light upon verification of the accounts of the petrol pump. Pursuant thereto, the police conducted investigation and arrested the present applicant along with other co-accused persons. The matter being sensitive in nature, the copy of the FIR is not reflected on the online portal. Hence, the present bail application.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in the present case. It is further submitted that the applicant is about 50 years of age and is not an employee of the petrol pump in question. He contends that the son of the applicant, Niraj Sahu, who was working as the Manager of the petrol pump, used to hand over the collected amount to the owner of the petrol pump at the end of every month and that the applicant had no role in the alleged transaction. It is also submitted that the complainant is a political person and, due to his influence and pressure, the police has falsely implicated the present applicant as well as his other son, namely Dhiraj Sahu, who is admittedly not an employee of the petrol pump. He further submits that the matter has been wrongly projected as sensitive, as a result of which the FIR is not reflected on the online portal. It is lastly submitted that the applicant has been in jail since 06.11.2025 and his son is also in jail, and the trial is likely to take considerable time for its conclusion. Therefore, he prays for grant of bail to the applicant.



4. On the other hand, learned State Counsel appearing for the respondent/State opposes the bail application and submits that the charge-sheet has not been submitted in the present case. She further submits that as per the prosecution case, the complainant, Gagan Jaipuriya, owner of the petrol pump, lodged a written report alleging misappropriation of a huge amount of Rs.65,00,000/- by the Manager, Niraj Sahu, in connivance with the present applicant and other co-accused, which was detected during verification of the accounts. It is submitted that the investigation has revealed active involvement of the present applicant, and he has been arrested along with other co-accused persons. Considering the gravity and seriousness of the offence involving large-scale financial embezzlement, the applicant 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 06.11.2025, though the charge-sheet has not been submitted in the present case, but the fact that the present applicant is not an employee of the petrol pump and his role is distinguishable from that of co-accused Niraj Sahu, who was working as the Manager of the petrol pump and was directly handling the accounts and daily transactions, and the applicant has no criminal antecedents, Without expressing any opinion on the merits of the case, this Court is of the view that the applicant has made out a case for grant of bail, and accordingly, the applicant deserves to be enlarged on bail.



7. Let the Applicant – **Lochan Prasad Sahu**, involved in Crime No. 100/2025 registered at Police Station- Bamhndih, District Janjgir Champa, (C.G.) for the offence punishable under Sections 316(4), 316(5), 61(2) of the Bharatiya Nyaya Sanhita, 2023 be released on bail on furnishing **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,



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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.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Rahul Dewangan