2026:CGHC:3396

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 108 of 2026

Smt. Janaki Devi Sahu W/o Devnarayan Sahu Aged About 42 Years R/o Mahkam, Post Sonakhan, P.S. Kasdol, District : Balodabazar-Bhathapara, Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through The Station House Officer, Police Station Kotwali Raigarh, District : Raigarh, Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. Nishikant Sinha, Advocate.
For Non-applicant/State	:	Mr. Saumya Rai, Deputy Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending her arrest in connection with Crime No. 332/2025 registered at Police Station Kotwali Raigarh, District : Raigarh (C.G.) for the offence punishable under Section 318(4), 111, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the prosecution's case, in brief is that the complainant lodged a report before the concerned Police Station alleging that he transferred an amount of Rs. 8,30,000/- into the account of the present applicant under a so-called share market risk investment scheme. It is alleged that despite receiving the said amount, the applicant failed to provide any return or benefit to the complainant in respect of the invested amount. On the basis of the said complaint, the police registered a case against the applicant for the offences punishable under Sections 318(4), 111 and 3(5) of the Bharatiya Nyaya Sanhita (B.N.S.).

3. Learned counsel for the applicant submits that the applicant is an innocent lady and has been falsely implicated in the present crime on the basis of mere suspicion and false allegations. It is contended that the applicant neither received any amount from the complainant nor committed any act of cheating, fraud or deception as alleged by the prosecution. The applicant had no knowledge of the alleged transaction and has not derived any benefit from the so-called investment amount, and there is no cogent or reliable evidence on record to establish her involvement in the alleged offence. It is further submitted that the prosecution case rests solely on unsubstantiated and fabricated allegations made by the complainant, without any proof whatsoever. He further submits that although the applicant has been implicated in other cases of similar nature under Sections 318(4), 111 and 3(5) of the B.N.S., she has already been enlarged on bail by this Hon'ble Court in Crime Nos. 430/2025, 433/2025 and 470/2025 vide orders dated 09.10.2025 passed in M.Cr.C. Nos. 6996/2025, 7004/2025 and 7038/2025, and has also been granted bail by the learned Trial Court in Crime No. 378/2025. All the said cases are of similar nature, and therefore, on the ground of parity as well as absence of incriminating material, the present applicant is also entitled to be released on anticipatory bail.

4. On the other hand, learned State counsel, appearing for the non - applicant/State, opposes the submission made by the learned counsel for the applicant and submits that as per the prosecution case, the complainant transferred an amount of Rs. 8,30,000/- into the account of the present applicant under the guise of a share market investment scheme, and despite receiving the said amount, the applicant failed to provide any return or benefit to the complainant, thereby cheating him. It is further submitted that the amount was credited to the account of the applicant, which clearly establishes her involvement in the alleged offence. He further submits that the applicant has 05 more cases of similar nature. Considering the nature and gravity of the offence and the manner in which the complainant has been allegedly cheated, and criminal antecedents of the applicant, learned State Counsel prays that the applicant is not entitled for grant of anticipatory bail.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the nature of allegations, and the material available on record, though the allegation is that the complainant transferred an amount of Rs. 8,30,000/- into the account of the present applicant under the guise of a share market investment scheme, and despite receiving the said amount, the applicant failed to provide any return or benefit to the complainant, thereby cheating him, but the applicant is a woman and taking into account that the applicant has already been granted bail in other cases of similar nature on the ground of parity, this

Court is of the considered view that the applicant has made out a case for grant of anticipatory bail. Accordingly, without expressing any opinion on the merits of the case, I am inclined to grant anticipatory bail to the present applicant.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Smt. Janaki Devi Sahu** on executing a personal bond and one surety in the like sum to the satisfaction of the arresting Officer, she shall be released on bail on the following conditions:-

(a) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such fact to the Court.

(b) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) The applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

(d) The applicant and the surety shall submit a copy of her adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The applicant shall not involve herself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
Chief Justice

Rahul Dewangan