



2026:CGHC:3605



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 764 of 2026**

Arun Mishra S/o Gangeshwar Prasad Mishra Aged About 42 Years Occupation  
Ex Branch Manager, R/o 36/18 Mother Teresa Nagar Camp-2, P.S. Chhawani  
Bhilai District – Durg, Chhattisgarh

**... Applicant****versus**

The State of Chhattisgarh Through S.H.O. Police Station Civil Line Rampur  
Korba, District – Korba, Chhattisgarh

**... Non-Applicant**


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For Applicant : Mr. Ashok Kumar Shukla, Advocate.

For Non-Applicant/State : Mr. Sourabh Sahu, Panel Lawyer.

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**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order on Board****21.01.2026**

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 193/2025 registered at Police Station – Civil Line Rampur Korba, District – Korba (C.G.), for the offence punishable under Section 409 of Indian Penal Code, 1860.
2. As per the prosecution story, is that the In-charge complainant, Pradeep Kumar Sikdar, Assistant Accounts Officer, Municipal Corporation, Korba, lodged a written report alleging that cash recovered from revenue collection by the Korba Municipal Corporation is deposited into the Corporation's Account No. 307010100003667 maintained with Axis Bank, Power House Road, Korba Branch, through CMS (Cash



Management Services). A discrepancy was noticed between the amount shown as deposited in the Corporation's cash register/CMS deposit slips and the bank statement. Pursuant thereto, the Korba Municipal Corporation constituted an investigation committee, which, as per its report, found that an amount of Rs.79,42,274/- had not been deposited in the said account. It was alleged that the then applicant, who was the Bank Manager of Axis Bank, Power House Road, Korba Branch, in collusion with co-accused Ashirwad Priyanshu (Cashier), failed to deposit the discrepant amount into the Corporation's account and embezzled the same. On the basis of the written report, Police Station Civil Line Rampur, Korba registered Crime No. 193/2025 for an offence punishable under Section 409 of the IPC against the applicant and co-accused Ashirwad Priyanshu. During the course of investigation, the police seized records relating to deposits made by the Municipal Corporation in Axis Bank for the year 2022-23 from the office of the Municipal Corporation, Korba, District Korba (C.G.). Memorandum statements of the accused persons were recorded; however, nothing was seized from the present applicant. After completion of the investigation, a charge-sheet was filed before the Trial Court.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further submitted that similarly placed co-accused person, namely, Ashirwad Priyanshu has been granted regular bail by this Court in MCRC No.9409/2025 vide order dated 02.01.2026, and amount has been deposited, further the charge-sheet has been filed and the applicant has no previous criminal antecedents, the applicant is in jail since 07.08.2025. Hence, it is prayed that the applicant may be enlarged on bail on the ground of parity.



4. On the other hand, the learned counsel for the State opposes the bail application and submits that the charge-sheet has been filed in the present bail application.
5. I have Heard learned counsel for the parties and perused the material available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicants and the fact that similarly placed co-accused person, namely, Ashirwad Priyanshu has been granted regular bail by this Court in MCRC No.9409/2025 vide order dated 02.01.2026, and the amount has been deposited, further the charge-sheet has been filed and the applicant has no previous criminal antecedents, the applicant is in jail since 07.08.2025, the conclusion of the trial is likely to take sometime, this Court is of the opinion that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application is **allowed**. Let applicant - **Arun Mishra** involved in Crime No. 193/2025 registered at Police Station – Civil Line Rampur Korba, District – Korba (C.G.), for the offence punishable under Section 409 of Indian Penal Code, 1860, be released on bail on their 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.

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**