



2026:CGHC:10030



2026:CGHC:10031

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1106 of 2026**

- Nitish Kumar @ D.N S/o Kanchan Kumar Aged About 32 Years R/o Chakpar Rajgir Police Station Rajgir District Nalanda Bihar (Details Of Applicant Properly Not Mentioned On Impugned Order Sheet And Correct Details Is Mentioned As Per Chargesheet)

... Applicant**versus**

- State of Chhattisgarh Through The S H O Police Station Vaishali Nagar, District - Durg Chhattisgarh

... Respondent**(Cause title is taken from Case Information System)**

For Applicant	: Mr. Avinash Chand Sahu, Advocate
For Respondent/State	: Mr. Shaleen Singh Baghel, Government Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****26.02.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.86/2025, registered at Police Station – Vaishali Nagar, District – Durg (C.G.) for the offence punishable under Sections 317(2), 317(4), 318(4), 61(2)(A) of the Bharatiya Nyaya Sanhita, 2023 (BNS).



2. The case of the prosecution, is that a report has been lodged by complainant bank manager of Canera Bank That he came to know about the 111 mule account of account holder in which he apprehended regarding fraud transaction of online gaming amount therefore the police registered the above FIR and police found that total Rs. 22,05,173.53/ is on hold and there was frequent transaction of the amount which is hold and it is further came in to enquiry that the applicant and the other accused have purchased the account for online gaming and they used to pay about Rs. 20,000/- to per account and thus police connected the applicant in the above case. and during the investigation the police has arrested the present. Hence this bail application.
3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is further argued that applicant has not took part in any fraud and the FIR has been lodged against the in known person and just to conclude the proceedings the police has connected the present applicant in all theft case which is registered against the unknown person. It is further submitted that no any material evidence available against the present applicant. The charge-sheet has been filed in this case and the applicant is in jail since 30.05.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, learned State counsel opposes the bail application and submits that there is no criminal antecedents



registered against the present applicant. It is further submitted that the bail application of two other co-accused persons have already been rejected by this Court in MCRC No.6335 of 2025 and MCRC No.6240 of 2025 vide orders dated 10.09.2025 and 11.08.2025 respectively and the charge-sheet has been filed in this case. It is further submitted that in compliance with this Court's order dated 02.02.2026, the Investigating Officer Shri Murlidhar Kashyap has filed his personal affidavit and the relevant paragraphs as under:-

“7.That, during investigation, the memorandum statement of the present accused applicant has duly been recorded wherein, he has categorically admitted the fact that, he is resident of Village Chakwar, Police Station Rajgeer, District Nalanda (Bihar) and present address is Dron Vatika, Street No. 4, House No. 6, PS Rajpur, District Dehradun, Uttara Khand. One Deepak Kumar resident of Islampur, District Nalanda, Bihar, used to provide bank accounts to him for online gaming cricket Satta and the said Deepak Kumar used to work alongwith the other accused persons residents of Bhilai, District Durg. It is further deposed by the present accused applicant that, he has been involved in Cricket Online Satta alongwith the said accused Deepak Kumar since last 5 years, who provides him bank account at the rate of Rs. 20,000/- per bank account and the co-accused Deepak Kumar is still absconded and all possible efforts are being made by the concerned Police Authorities to trace out him.

8. That, during investigation in this case, mobile phones used in the incident, Aadhar Card and SIM installed into the mobile phones of the accused and the various ATM Cards of various Banks, Cheque Books, Bank Passbooks of various banks, Laptops of Dell company, have been seized from the accused Applicant in front of witnesses.”



5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there is no criminal antecedents registered against the present applicant, in view of the fact that no amount has been credited to the bank account of the applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 30.05.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Nitesh Kumar @ D.N.**, involved in Crime No.86/2025, registered at Police Station – Vaishali Nagar, District – Durg (C.G.) for the offence punishable under Sections 317(2), 317(4), 318(4), 61(2)(A) of the Bharatiya Nyaya Sanhita, 2023 (BNS), be released on bail on his furnishing **a personal bond** with **two local 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 send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Vaishali