



2026:CGHC:12998

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1092 of 2026

- Amit Mishra @ Pahlu S/o Nityanand Mishra Aged About 30 Years
Profession Business, Caste Brahmin R/o Mohallah Sattipara, P.S.
And Tehsil Ambikapur, District- Surguja (C.G.)

--- **Applicant(s)**

versus

- State of Chhattisgarh Through Station House Officer, Police Station
Ambikapur, District- Surguja (C.G.)

--- **Respondent(s)**

MCRC No. 1063 of 2026

- Amit Mishra @ Pahlu S/o Nityanand Mishra Aged About 30 Years
R/o Sattipara, P.S. Ambikapur, District Surguja, Chhattisgarh.

--- **Applicant(s)**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station
Gandhinagar, District Surguja, Chhattisgarh.

--- **Respondent(s)**

MCRC No. 1049 of 2026

- Amit Mishra @ Pahlu S/o Nityanand Mishra Aged About 30 Years
R/o Sattipara Near Shiv Mandir, P.S. Kotwali, Ambikapur, District :
Surguja (Ambikapur), Chhattisgarh

--- **Applicant(s)**

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station
Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

--- **Respondent(s)**

MCRC No. 1208 of 2026

- Amit Mishra@Pahlu S/o Nityanand Mishra Aged About 30 Years
Occupation Business, Caste Brahmin, R/o Mohollah Sattipara, P.S.
And Tehsil Ambikapur, District Surguja, Chhattisgarh.

---**Applicant(s)****Versus**

- State of Chhattisgarh Through Station House Officer, Police Station
Gandhinagar, District Surguja, Chhattisgarh.

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

 For Applicant(s) : Mr. Shakti Raj Sinha, Advocate

 For Respondent(s) : Mr. Soumya Rai, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****18/03/2026**

1. Since the above-mentioned four bail applications belongs to one applicant arising out of different crime numbers registered at different police stations, they are clubbed and heard together and are being disposed of by this common order.
2. In **MCRC No.1092 of 2026** -This is **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 crime No. 472 of 2025 registered at Police Station Ambikapur, District – Surguja for the offence punishable under Sections 318(4), 319(2), 111(2) of Bhartiya Nyay Sanhiya for short – BNS, 2023 and Section 66(c) of I.T. Act.
3. In **MCRC No.1049 of 2026** -This is **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 crime No.493 of 2025 registered at Police Station Ambikapur, District – Surguja for the offence punishable under

Sections 61(2), 238, 111(2) of Bhartiya Nyay Sanhiya for short – BNS, 2023 and Section 419, 420 of IPC.

4. In **MCRC No.1208 of 2026** -This is **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 crime No.571 of 2025 registered at Police Station Gandhinagar, District – Sarguja for the offence punishable under Sections 318(4), 317, 111 and 61(2) of Bhartiya Nyay Sanhiya.
5. In **MCRC No.1063 of 2026** -This is **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 crime No.397 of 2025 registered at Police Station Gandhinagar, District – Sarguja for the offence punishable under Sections 317(4), 318, 238, 61(2) of Bhartiya Nyay Sanhiya.
6. As per the leading case, prosecution story, in brief, is that during the investigation, on tracing the applicant, it was found that the applicant was in Raipur. After the cyber team detained him from Raipur and interrogated him, it was found that the applicant had obtained bank accounts of account holders Gagan Agrawal, Sahil Mansuri, Rahul Sonkar and others by deceiving them in different ways and using them on platforms like betting and receiving betting money online. Hence, this offence.
7. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in offence in question and the allegations levelled against him are vogue, concocted, and based on fabricated statements recorded by the Ambikapur Police Station with an intent wrongly implicate the applicant. He also submits that the applicant has not withdrawn

any amount which is seized by the police as alleged against the applicant. It is further stated that applicant has neither committed alleged offence nor any kind have been involved in this case. It is further contended that in Crime Nos.472 of 2025, 493 of 2025, 571 of 2025 and Crime No.397 of 2025 applicant is in jail since 24.07.2025, 09.10.2025 and 25.07.2025 respectively. He would submit that the applicant has not withdrawn any amount which is seized by the police as alleged against the applicant. It is further stated that applicant has neither committed alleged offence nor any kind have been involved in this case. He also submits that conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.

8. On the other hand, learned State Counsel opposes the bail application and submit that charge sheet has been filed in these cases before the competent court. He also submits that in compliance of this Court's order dated 02.02.2026 and 28.02.2026, concerned investigating Officer has filed his personal affidavit in three cases except MCRC No.1208 of 2026 and perusal of the affidavit filed by the Investigating Officer in MCRC No.1092 of 2026, and relevant paragraph of affidavit reads as under:-

“7.That, as per the FIR it is alleged that one Gagan Agrawal was taken into custody who disclosed in his statement that he was cheated by the Amit Mishra @ Pahlu for work of Munshi, who has taken his SIM Card, ATM card, Passbook and Cheque Book but

neither he was deployed as clerk nor his aforesaid documents were returned back to him.

8. That, during the course of investigation the police found that the applicant Amit Mishra @ Pahlul has used the document of Gagan Agrawal and used his account and therefore, the offences were registered.

9. That, it was also found by the police that as per the letter received from Cyber Cell the account of Gagan Agrawal was used many times and against such accounts various online complaints have also been registered in various states of the country, which is evident from acknowledgment No.21312240054966, 22912240100112, 31512240028283, 3161224010424 and 31612240106385,

10. That, it was found by the police that the bank account number of overseas bank branch Bilaspur bearing Account No.299302000000299 was used for online cyber fraud and against this account five online cyber fraud complaints are registered, in various parts of the country.

11. That, the suspected Gagan Agrawal was taken into custody and his statement under Section 180 of BNSS was recorded in which he categorically stated that his account and mobile phone were used by the present applicant Amit Mishra @ Pahlul and all the transactions were conducted /committed by the present applicant and not by him, and he has no knowledge about the transactions from this bank account.”

9. I have heard learned counsel appearing for the parties and perused the case diary.
10. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, further

considering the affidavit filed by the Investigating Officer, which shows that present applicant taken the SIM Card, ATM card, Passbook and Cheque Book of the complainants and used the same for cyber fraud but there was no amount transaction was found in the bank account of the applicant, he is in jail since 24.07.2025, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, therefore, considering the period of detention of the applicant, this Court is of the view that the applicant is entitled to be released on bail in this case.

11. Accordingly, the bail applications are allowed and it is directed that the Applicant- **Amit Mishra @ Pahu**, involved in **472/2025, 493/2025, 571/2025** and **397/2025** registered at concerned Police Stations for the aforesaid offences, be released on bail on his 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.

12. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

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