



2026:CGHC:4140



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 819 of 2026

Afzal Khan S/o Shri Pir Khan Aged About 19 Years R/o Raza Nagar Ward No
20 P/s Dogargarh Distt. Rajnandgaon C.G. India **...Applicant**

versus

State Of Chhattisgarh Through P/s Civil Line Distt. Raipur C.G.
...Non-applicant

For Applicant	: Mr. Ajay Kumar Mishra, Advocate.
For Non-applicant/State	: Mr. Priyank Rathi, G.A.

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

23.01.2026

1. The applicant has preferred this First Bail Application under Section 483 of B.N.S.S. for grant of regular bail, as he has been arrested in connection with Crime No. 44/2025, registered at Police Station : Civil Line Raipur District – Raipur (C.G) for the offence punishable under Section 317(2), 317(4), 317(5), 111 read with Section 3(5) of BNS.
2. The prosecution story, in brief, is that the applicant was working as an employee of Utkarsh Small Finance Bank, Civil Lines–3 Branch,



Raipur. On 20.01.2025, Police Station Cyber Range, Raipur received information through the portal of the Ministry of Home Affairs, Government of India, regarding misuse of certain bank accounts for cyber fraud amounting to ₹36,48,448/-. Upon taking cognizance, the police conducted an inquiry into about 100 bank accounts allegedly involved in the cyber cheating. During the inquiry, the applicant and other bank employees were questioned, and they provided details of the account holders and explained the procedure adopted for opening the accounts, stating that the accounts were opened in accordance with bank norms and prescribed procedures. Subsequently, the police verified the addresses of the account holders and interrogated some of them. On the basis of the statements of certain account holders, it was alleged that the applicant had received money from one Yash Bhatia and his associates, who were allegedly involved in opening bank accounts for illegal use. On these allegations, an FIR was registered against the account holders and others, and thereafter the applicant was called again and arrested for his alleged involvement in the commission of the offence.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the co-accused Om Arya has already been granted bail by this Hon'ble Court vide order dated 27.11.2025, and the case of the present applicant stands on similar footing. The applicant has neither committed nor participated in any act constituting the alleged offences, and the material collected by the prosecution does not disclose any *prima facie* case against him. The applicant is a young person aged about 24 years, and prolonged incarceration would seriously prejudice and



frustrate his future. He has been in judicial custody since 24.01.2025, the charge-sheet has already been filed, and the trial is likely to take considerable time for its conclusion. The applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding, and he undertakes to abide by all conditions imposed by this Hon'ble Court, therefore, the applicant is also entitled to be released on regular bail.

4. On the other hand learned State counsel opposes the bail application of the applicant and submits that the charge-sheet has been filed in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, it is noted that the co-accused, namely Om Arya, has already been granted bail by this Hon'ble Court vide order dated 27.11.2025 passed in MCRC No. 9388 of 2025; that while the bail applications of some co-accused were allowed on the ground of being women accused, the bail applications of other co-accused were initially rejected, however, the said rejection orders in respect of four co-accused were challenged before the Hon'ble Supreme Court in SLP Nos. 15006/2025, 12849/2025, 15613/2025 and 17452/2025, wherein bail was granted vide order dated 19.11.2025; and further taking into account that the present applicant has no criminal antecedents, this Court, on the ground of parity and in view of the aforesaid facts, is of the considered opinion that the present applicant also deserves to be released on bail.



7. Let the Bail of the Applicant –**Afzal Khan**, involved in Crime No. 44/2025, registered at Police Station : Civil Line Raipur District – Raipur (C.G) for the offence punishable under Section 317(2), 317(4), 317(5), 111 read with Section 3(5) of BNS, be released on bail on furnishing **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