



2026:CGHC:12766

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1091 of 2026

Nagesh Kumar Dhara S/o Janardan K. Aged About 52 Years R/o Ramdas Nagar, Kasargod, P.S. And District Kasargod, Kerala.

... **Applicant**

versus

State of Chhattisgarh Through S.H.O. Supela, District Durg C.G.

... **Non-applicant**

For Applicant	: Mr. B.P. Singh, Advocate
For Non-applicant/State	: Mr. Saumya Rai, Deputy Govt. Advocate
For Objector	: Ms. Mamta Jaiswal, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

17.03.2026

1. This is the **First bail application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 675/2025 registered at Police Station : Supela, District Durg, (C.G.) for the offence punishable under Sections 420 and 120 B of the Indian Penal Code, 1860.
2. As per the prosecution's story, in brief, is that the present applicant, on the pretext of providing a franchise of a travel agency, induced the complainant, his family members, and acquaintances to part

with a total amount of Rs. 83,80,000/- during the period from 06.09.2022 to 31.12.2022. It is further alleged that despite receiving the said amount, the applicant failed to provide the promised travel agency/franchise, thereby cheating the complainant. On the basis of a written complaint, a crime was registered against the applicant, investigation was carried out, and thereafter a charge-sheet has been filed before the competent Court. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, and that the dispute between the parties is purely civil in nature arising out of a business transaction. It is submitted that the applicant has not induced or allured the complainant to invest any money, rather the complainant had voluntarily invested at his own risk after completing all legal formalities and had initially derived benefit, but upon incurring losses, has lodged a false and fabricated complaint against the applicant. It is further submitted that one of the co-accused, namely Arti, has already been enlarged on bail by the learned trial Court, and the case of the present applicant stands on similar footing. He also submits that the applicant is engaged in share market work and he has two criminal antecedents of the year 2019 and 2024 which are pending and he is in jail since 12.06.2025 and the conclusion of the trial may take some time, therefore, he prays for grant of regular bail to the present applicant.
4. On the other hand learned State counsel as well as learned counsel for the objector/complainant opposes the bail application of the present applicant and submits that the charge-sheet has been

submitted before the competent Court in the present case. It is further submitted that the applicant has committed a serious offence of cheating by dishonestly inducing the complainant and others to part with a huge amount of Rs. 83,80,000/- on the false pretext of providing a travel agency franchise. It is further submitted that the allegations are supported by material collected during investigation. It is further submitted that the applicant has two criminal antecedents of the year 2019 and 2024 which are pending. Considering the magnitude of the amount involved, the nature of the offence, and the conduct of the applicant, it is prayed that the present applicant is not entitled for grant of regular bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the submissions made by learned counsel for the parties, the nature of the allegations, and the fact that though the applicant has committed a serious offence of cheating by dishonestly inducing the complainant and others to part with a huge amount of Rs. 83,80,000/- on the false pretext of providing a travel agency franchise and further the applicant has two criminal antecedents of the year 2019 and 2024 which are pending, but the charge-sheet has already been submitted in the present case before the competent Court and so far as the status of the trial is concerned, charges were framed and no prosecution witnesses have been examined till date, and the present applicant is in jail since 12.06.2025 and the trial is likely to take sometime for its conclusion, further the fact that one of the co-accused, namely Arti,

has already been enlarged on bail by the learned trial Court, therefore, I am of the opinion that the applicant is entitled to be released on bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let applicant, **Nagesh Kumar Dhara**, involved in Crime No. 675/2025 registered at Police Station : Supela, District Durg, (C.G.) for the offence punishable under Sections 420 and 120 B of the Indian Penal Code, 1860, be released on bail on his furnishing **a personal bond** with **two local sureties** in the like amount 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

Rahul Dewangan