



Digitally
signed by
VAISHALI
LUCKY
NAGARIA
Date:
2026.03.02
18:42:53
+0530

2026:CGHC:10530

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 886 of 2026**

- Surtha Das S/o Bhoicharan, Aged About 57 Years R/o Plot No. 720/724, Unit 09, Flat Bayababa Mathlen, Bhuneshwar , Police Station Shahid Nagar (Odisha),

... Applicant**versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Pulgaon, Outpost Jevra, Sirsa District- Durg (C.G.)

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

For Applicant : Mr. Praveen Dhurandhar, Advocate
For Respondent/State : Mr. Soumya Rai, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****28/02/2026**

1. This is Second 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 connection with Crime No.221/2017, registered at Police Station- Pulgaon, Outpost Jevra-Sirsa District Durg, (C.G.) for the offence punishable under Sections 420 and 409 of Indian Penal Code and Section 3, 4 and 5 of Prize Chits and Money Circulation Scheme (Banning) Act-1978 and Section 10 of Chhattisgarh Protection of Depositors, Interest Act, 2005.

2. The first bail application filed by the applicant was dismissed vide order dated 07.08.2025 passed in MCRC No.5037 of 2025.
3. According to the case of the prosecution, the brief facts of the matter are that the complainant, Rukhmani Bai Sahu, lodged a report at the Jevra-Sirsa Outpost stating that her husband, Dujeram Sahu, had deposited 9,70,000 in Micro Finance Public Limited Company, located at Prithviraj Towers, Bhilai, District Durg, under various investment schemes. The company regularly paid monthly interest to its investors. After her husband's death, the complainant discovered that the company had shut down its office in November- 2014, leaving her in financial distress. Consequently, an offence was registered against the company's directors. During the investigation, the memorandum statements of the applicant revealed that the company's head office was situated at Rasulgarh, Bhubaneswar (Odisha), and its directors included Durga Prasad Mishra, Ashok Kumar Patnaik, Baikunth Nath Patnaik, and Bijoy Kumar Rautre. After the death of Bijoy Kumar Rautre, the applicant was appointed as a director by Managing Director Durga Prasad Mishra on 25.11.2013, with a salary of 5,000 per month. The company ceased operations in 2014. The CBI, following directions from the Hon'ble Supreme Court, registered a case (Crime No. RC46/S/2014-SCB/KOL) and filed a charge sheet against several directors, including Durga Prasad Mishra, Ashok Kumar Patnaik, Baikunth Nath Patnaik, Upendra Nath Mishra, Kalinath Mishra, and associated companies-Micro Finance Limited, Micro Leasing and Funding Ltd., Micro Hospital Pvt. Ltd., Micro Hostel Pvt. Ltd., Micro Construction Pvt. Ltd., and Micro Media & Investment Ltd. Importantly, the applicant's name does not appear in the CBI charge

sheet. In the present case, all the original directors remain absconding, and no arrests have been made by the local police. Copy of the FIR alongwith notice, status of criminal justice system, memorandum, remand form are collectively filed as Annexure A-3.

4. Learned counsel for the applicant submits that this is the second bail application of the applicant. The first bail application filed by the applicant was dismissed vide order dated 07.08.2025 on the ground that the applicant was arrested on 08.05.2025 after remaining absconding for almost eight years. He further submits that there are a total of five accused persons, including the applicant. Out of them, two co-accused persons have died, two other co-accused persons are absconding, and the present applicant is the only accused available. It is further submitted that there are total 17 prosecution witnesses, out of which only one prosecution witness has been examined. Moreover, the charge sheet has been filed in the case. The applicant has been in jail since 08.05.2025, and the conclusion of the trial is likely to take some time. Therefore, he prays for grant of bail to the applicant.
5. On the other hand, learned State Counsel opposes the bail application and submits that applicant is a resident of the State of Odisha and charge sheet has been filed in this case before the competent court and the first bail application filed by the applicant was dismissed vide order dated 07.08.2025 on the ground that applicant was arrested on 08.05.2025 after remaining absconding for almost 8 years, therefore he is not entitled for grant of bail.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case,

submission of learned counsel for the parties, further the fact that there are total of 17 prosecution witnesses, out of which only one prosecution witness has been examined, charge sheet has been filed and applicant is in jail since 08.05.2025, also considering the fact that trial is likely to take some time for its conclusion, considering the detention period of the applicant, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.

8. Accordingly, the bail application is allowed and it is directed that the Applicant- **Surtha Das** involved in Crime No.221/2017, registered at Police Station- Pulgaon, Outpost Jevra-Sirsa District Durg, (C.G.) for the offence punishable under Sections 420 and 409 of Indian Penal Code and Section 3, 4 and 5 of Prize Chits and Money Circulation Scheme (Banning) Act-1978 and Section 10 of Chhattisgarh Protection of Depositors, Interest Act, 2005, be released on bail on his furnishing a **personal bond of Rs.1,00,000/-** with **two local sureties of applicant's family members** 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.

9. However, this Court hopes and trusts that the trial Court shall make earnest endeavor to conclude the trial expeditiously, preferably within a period of six months from the date of passing of this order, if there is no legal impediment.
10. 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

vaishali