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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1355 of 2026

Deepak Kumar Chouhan S/o Shankarlal Chouhan Aged About 24 Years R/o Village Gobarsingha, P.S. Baramkela, District Sarangarh-Bilaigarh Chhattisgarh
... **Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Pithora, District Mahasamund Chhattisgarh
...**Non-applicant**

For Applicant	: Mr. Chandrasen Chouhan, Advocate.
For Non-applicant/State	: Ms. Anusha Naik, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

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. 57/2025 registered at Police Station - Pithora, District Mahasamund (C.G.), for the offences punishable under Sections 420, 408, 409, 34 of the IPC.



2. The case of the prosecution, in brief, is that the complainant has lodged a report to the concerned police Station, alleging that on the date of incident, the accused persons have embezzled the amount of Rs. 3,19,034/ of investors who have invested the such money at Bharat financial Enkuljan Ltd. branch Pithora, in the name of finance loan. Based upon such complaint made by the complainant, the police has registered the case under section 420, 408, 409, 34 of I.P.C. against the unknown persons and after the investigation, the police has arrested the present applicant on the memorandum statement.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that, as per the allegations, the applicant was working as a Collection Manager at Bharat Financial Inclusion Ltd., Branch Pithora, and had collected an amount of Rs. 62,767/- from the complainant for the purpose of closing the loan account. Thereafter, the applicant forwarded the receipt of the said amount to the Branch Manager and completed the necessary formalities; however, due to his subsequent transfer to another branch at Gharghoda, the entry of the said transaction could not be made in the branch record. After his transfer, the applicant was no longer responsible for making such entries and the Branch Manager also failed to complete the formalities relating to the closure entry in the records, due to which the applicant has been falsely implicated in the present case. The applicant has neither cheated nor committed any fraud with the complainant, nor has he derived any personal benefit from the said amount. The allegations made by the complainant are false, baseless and based on mere suspicion, and the applicant has been wrongly arrested by the police



on the basis of such false and fabricated allegations, therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application of the present applicant.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, and further taking into account that the charge-sheet has already been filed before the competent Court, that the applicant has no criminal antecedents, and that the applicant has remained in jail since 30.11.2025, and considering that the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.
7. Let the Applicant – **Deepak Kumar Chouhan**, involved in Crime No. 57/2025 registered at Police Station - Pithora, District Mahasamund (C.G.), for the offences punishable under Sections 420, 408, 409, 34 of the IPC., be released on bail on his 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



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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