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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1522 of 2026

Mahesh Heraou S/o Late Tulsiram Heraou Aged About 63 Years R/o M.I.G.-
2 Number 439, Hudco V.P.C. Bhilai (W), District Durg, Chhattisgarh. Present
Add. Satnam Para, Near Shiv Mandir, Saf Line, Hari Nagar, Katulbod, Durg,
Tehsil And District Durg, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through District Magistrate Durg, District Durg,
Chhattisgarh. **...Non-applicant**

For Applicant : Mr. B. P. Singh , Advocate

For Non-Applicant/State : Mr. Soumya Rai, Dy. G.A.

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.
420/2025 registered at Police Station – Pulgaon Police Station, tahsil
and District - Durg (C.G.), for the offences punishable under Section
420, 467, 468, 471, 120(B), 34 of the IPC.



2. The prosecution case, in brief, is that the main complainant, Deepesh Kumar Nishad S/o Moolchand Nishad, lodged a report alleging that the accused persons, namely Manoj Kumar Sahu, Rajat Verma, and Mukesh Verma, had acted in collusion and committed offences of fraud and forgery by dishonestly inducing several persons and extorting money from them on the false pretext of securing government employment. During the course of investigation, it was revealed that the said accused persons had committed similar offences against various other individuals as well. On the basis of such investigation, the present applicant, Mahesh Heraou, who is the owner of a computer typing shop, was implicated in the case on the allegation that he had assisted the co-accused in the commission of the offence. The police seized computers and other related equipment from the shop of the applicant and, on that basis, arrested him under the same sections of law as the co-accused. The prosecution alleges that the applicant was involved in the preparation of forged documents used in the commission of the crime. After completion of investigation, the charge-sheet has been filed, and the matter is presently pending before the learned District and Sessions Judge for consideration on the point of framing of charges.
3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this offence. It is further submitted that there is no direct or cogent evidence in the entire charge-sheet establishing his involvement in the alleged offence. It is contended that the applicant's name does not find mention in the First Information Report, nor has any victim or witness attributed any role to him in the alleged fraudulent transactions. The



prosecution has failed to demonstrate any nexus between the applicant and the alleged offence, including any financial benefit or participation in the alleged conspiracy. The applicant, a 63-year-old senior citizen and a respectable person from a lower-middle-class family, has been running a computer typing shop and has no criminal antecedents. The allegation against him is solely based on the fact that certain documents were allegedly prepared at his shop; however, there is no evidence to show that such documents were prepared by him or with his knowledge or consent. Even the co-accused have not stated that the applicant participated in the preparation of forged documents, nor is his name reflected in any memorandum statements, WhatsApp communications, or other material collected during investigation. The police have wrongly portrayed a relationship of friendship between the applicant and co-accused without any supporting evidence, while in reality, the relationship, if any, was merely that of a shopkeeper and customers. It is further submitted that the charge-sheet has already been filed, and no custodial interrogation is required. The applicant is a permanent resident of Bhilai Nagar, District Durg, and there is no likelihood of his absconding or influencing witnesses. The manner in which the investigation has been conducted, including discrepancies in recording of statements and arrest, clearly indicates false implication and mala fide action on the part of the police. In these circumstances, the applicant deserves to be released on bail.

4. On the other hand, learned State Counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been filed in the present case.



5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence levelled against the present applicant, and also taking into account that the applicant has no criminal antecedent, that the charge-sheet has been filed before the competent Court, and the applicant has been in jail since 03.10.2025, and that the conclusion of the trial may take some more time, this Court is of the considered opinion that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Mahesh Heraou**, involved in Crime No. 420/2025 registered at Police Station – Pulgaon Police Station, tahsil and District - Durg (C.G.), for the offences punishable under Section 420, 467, 468, 471, 120(B), 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 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,



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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

Vaibhav