



2026:CGHC:12530



2026:CGHC:12530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1374 of 2026

1 - Abdul Sattar S/o Late Gulam Kadar Aged About 55 Years R/o House No. 07, Daupara, Mungeli, Thana And Tehsil And District Mungeli C.G.

2 - Mohmaad Yusuf S/o Late Gulam Kadar, Aged About 53 Years R/o House No. 07, Daupara, Mungeli, Thana And Tehsil And District Mungeli C.G.

... Applicants

versus

State Of Chhattisgarh Through Station House Officer, Police Station- Mungeli, District Mungeli C.G.

... Respondent

For Applicants	:	Shri Manoj Paranjpe, Sr. Advocate with Shri Arjit Tiwari, Advocate.
For Respondent/State	:	Ms. Anusha Naik, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

16/03/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicants who have been arrested in connection with Crime No.35/2026 registered at Police Station Mungeli, District Mungeli



Chhattisgarh for the offence punishable under Sections 318 (4), 316(5), 61(2) read with section 3(5) of Bhartiya Nyay Sanhita, & Under Section 3 sub-section 7 of Essential Commodities Act, 1955.

2. Case of the prosecution, in brief, is that as per the information received on 10.01.2026 through the alert application (Satark App) of CCC Raipur, that the several rice millers' connivance with procurement centers, fraudulently transporting the paddy from registered transport vehicle and showing the weight which is more than 200 percent of strength of the transporting vehicle which is technically impossible. Hence, an investigation team have been formed by the authorities. During the investigation of Upleta Rice Mill MA638511, Upleta Rice Mill MA401259 & National Dal Mill MA639750, an investigation was conducted of aforesaid mills & godown. During the investigation the team have found that all the three rice mills are working on the same premises and no separate go down is made. The investigating has conducted the physical inspection on 12.01.2026 & 13.01.2026 and during the inspection, the team has found 187606 bags of paddy however as per the online stock of the applicants firm is 29681 bags of paddy. Therefore, an FIR has been registered punishable Under Section 316(5), 61(2) read with section 3(5) of Bhartiya Nyay Sanhita, & under section 3 sub section 7 of Essential Commodities Act, 1955 at police station Mungeli, District - Mungeli (C.G)
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is submitted that during inspection 1,87,606 bags of paddy were found from the applicants' mills, out of which 1,57,925 bags were received



from the Government for milling for the financial year 2025–26, and 11,730 bags were previous year stock of National Dal Mill for the financial year 2024–25. It is further submitted that 5,930 bags and 11,574 bags of paddy were legally purchased from the mandi after payment of mandi tax for personal milling by National Dal Mill and Upleta Rice Mill respectively, which is duly supported by mandi stock reports. After proper calculation, only 447 bags (approximately 178 quintals) remain, which is normal buffer stock maintained by millers to cover loss during milling. Hence, no irregularity has been committed by the applicants. He would submit that co-accused Abdul Samad has been granted anticipatory bail by this Court in MCRCA No.227/2026 on 02/03/2026. He would submit that applicant No.1 has one criminal antecedent and applicant No.2 has no criminal antecedents, they are in jail since 20/01/2026 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicants.

4. On the other hand, learned State Counsel opposes the bail application but do not dispute the fact that co-accused has been granted anticipatory bail by this Court.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, considering the fact that co-accused Abdul Samad has been granted anticipatory bail by this Court in MCRCA No.227/2026 on 02/03/2026, period of detention of the applicants since 20/01/2026 and also considering the fact that trial is likely to take some time for its conclusion, without commenting



anything on the merits of the case, this Court is of the view that the applicants are entitled to be released on bail in this case.

7. Accordingly, the bail application is allowed and it is directed that the Applicants- **Abdul Sattar & Mohmaad Yusuf**, involved in Crime No.35/2026 registered at Police Station Mungeli, District Mungeli Chhattisgarh for the offence punishable under Sections 318 (4), 316(5), 61(2) read with section 3(5) of Bhartiya Nyay Sanhita, & Under Section 3 sub-section 7 of Essential Commodities Act, 1955, be released on bail on each of them furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance



with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them in accordance with law.

8. 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