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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1485 of 2026

- Akhilesh Kumar Pandey S/o Late Komal Prasad Pandey Aged About 48 Years R/o Village Champa Tahsil Champa, District Janjgir Champa C.G.

... Applicant(s)

versus

- State of Chhattisgarh Through S.H.O. Police Station- Sakri, District Bilaspur C.G.

... Respondent(s)

(Cause title is taken from Case Information System)

 For Applicant(s) : Mr. Awadh Tripathi, Advocate

 For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 59/2026, registered at Police Station – Sakri, District – Bilaspur (C.G.) for the offence punishable under Sections 420, 464, 467, 468, 471, 34 of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- The case of the prosecution, is that on dated 20.01.2026 the informant Manish Shukla has lodged written first information report before the station incharge of Police station Sakri District Bilaspur



with the averment that the Akhilesh Pandey, Anurag Pandey, and Abhishek pandey real brother in Law of informant Manish Shukla though the said Akhilesh Pandey has been declared as a guardian of the minor minor son Sourya Shukla aged 09 years, and daughter Ku. Parinidhi Shukla aged 15 years, and Ku Pratibha Shukla aged 17 years, though after the death of mother namely Amita Pandey at her matrimonial home when she received the burn injury and according to property which Anita get from her original father side the said property has been mutated in the name of her minor daughter and sons through guardian Akhilesh pendey maternal uncle but and in the B-I and khasra panchsala the name of the late Anita has been rightly shown as Alive and some of the property acquire under the land acquisition proceeding and amount of Rs 3,44,138/ fixed deposit memo has been duly provided and the same is with the informant and some of the property due to the legal; necessity for the father side of Late Amita has been transferred on 09.10.2023 and by way of registered sale deed 11.09.2023 but in one registered sale deed by mistake in some place name of the father of the minor children been shown as Late have Manish Shukla and most probably the said mistake has been committed by the document writer but the informant Manish shukla has taken advantage of such document and lodged the report that the applicants and other have fraudulently declared himself as dead and submitted false affidavit and creating false document and thereby fraudulently sold, the house No 04 constructed on khasra No.258 area 0.1500 hec land situated at Village Sakri Patwari halka number 26/45 Tahsil Sakri District Bilaspur Chhattisgarh recorded as joint share of his minor son Sourya Shukla aged 09 years, and daughter Ku. Parinidhi Shukla aged 15 years, and Ku Pratibha Shukla aged 17 years, which



property inherited by said children from their maternal grand father to their mother Late smt Amita Shukla, to another person on dated 09.10.2023. That his wife has been died on dated 04.04.2018. That at present his children are residing along with him at Village Hallahuli. That by acknowledging the registration of the said property he has found out that he has been declared as dead and thereby on his place the accused Akhilesh Pandey, Akhilesh Pandey and Anurag Pandey have sold the said property and distributed the said consideration amount among themselves and thereby mutated the said property in the name of the purchaser which is against the offence of the property of his children and himself. That by receiving the first information report as submitted by the informant the concerning Police of Police Station Sakri District Bilaspur state Chhattisgarh has registered an offence under section 420, 464, 467, 468, 471, 34 of Bhartiya Nagrik Sanhita as registered against the applicant. Hence, this bail application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has falsely been implicated in this case and there is no criminal antecedents registered against the present applicant. It is further submitted that co-accused have already been granted anticipatory bail by this Court in MCRCA No.334 of 2026 vide order dated 02.03.2026 and the charge-sheet has been filed in this case. The applicant is in jail since 20.01.2026 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that the charge-sheet has been filed in this case.



5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that co-accused have already been granted anticipatory bail by this Court in MCRCA No.334 of 2026 vide order dated 02.03.2026 charge-sheet has been filed against the applicant, the applicant is in jail since 20.01.2026 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Akhilesh Kumar Pandey** involved in Crime No.59/2026, registered at Police Station – Sakri, District – Bilaspur (C.G.) for the offence punishable under Sections 420, 464, 467, 468, 471, 34 of the Bharatiya Nyaya Sanhita, 2023 (BNS), be released on bail on his furnishing **a personal bond** with **two 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



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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

Vaishali