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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1663 of 2026

Girish Jolhe S/o Shri Hemlal Jolhe Aged About 35 Years R/o Village - Hirri,
P.S. City Kotwali, Sarangarh, District Sarangarh Bilaigarh (C.G.)

... **Applicant**

versus

State Of Chhattisgarh Through Police Station - Kharsia, District Raigarh
(C.G.)

...**Non-applicant**

For Applicant	: Mr. Manoj Kumar Soni, Advocate.
For Non-Applicant/State	: Ms. Anusha Naik, Dy. G.A.
For Objector	: Mr. Aakash Ahuja, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

18.03.2026

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. 12/2026 registered at Police Station - Kharsia, District Raigarh (C.G.), for the offences punishable under Section 420 of the IPC.
2. The case of the prosecution, in brief, is that the complainant, Loknath



Ratre, lodged a written complaint alleging that the present applicant, along with others, induced him to avail a loan by representing that the applicant would arrange and manage the loan and repay the installments, subject to payment of a certain percentage of the loan amount. It is alleged that a loan of Rs. 27,25,000/- was sanctioned in the name of the complainant, out of which an amount of Rs. 20,76,000/- was credited to his bank account after deductions, and thereafter the present applicant transferred the said amount to his own account on the pretext of managing the loan. It is further alleged that although the applicant initially paid a few installments, he subsequently stopped making payments, as a result of which the liability fell upon the complainant, and upon being asked to repay the installments, the applicant refused, thereby cheating the complainant. On the basis of these allegations, FIR No. 12/2026 has been registered at Police Station Kharsia, District Raigarh, for the offence under Section 420 IPC, and the applicant has been arrested on 06.01.2026 and is in judicial custody since then.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any offence as alleged; it is further submitted that the applicant is merely working as a computer operator under the main accused Shyam Sundar Jangde, who is involved in other similar cases, and no ingredients of the offence under Section 420 IPC are made out against the present applicant; it is also contended that there is an unexplained delay of about one year and seven months in lodging the FIR, which casts serious doubt on the prosecution story; learned counsel further submits that the applicant is neither the



beneficiary of the alleged loan amount nor a signatory to any loan agreement, and the loan amount was sanctioned and credited to the complainant's own bank account by the Bank, and there is no documentary or electronic evidence to show that any amount was transferred to or misappropriated by the applicant; it is also submitted that the applicant has been implicated solely on the basis of memorandum statements of co-accused, which have no evidentiary value, and that the role attributed to the applicant is limited, at best, to that of a computer operator with no financial or contractual liability towards the complainant; it is further contended that the dispute, even if taken at its face value, is predominantly civil in nature arising out of a loan transaction, which has been given a criminal colour; learned counsel also submits that the charge-sheet has already been filed, no further custodial interrogation is required, and no recovery has been made or is pending against the applicant; it is further submitted that although the applicant has criminal antecedents of similar nature, he has been granted bail in those cases and has not misused the liberty granted to him; therefore, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned State Counsel as well as learned counsel for the objector have opposed the bail application of the present applicant and submitted 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 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 and that the applicant has remained in judicial custody since 06.01.2026, and as 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 – **Girish Jolhe**, involved in Crime No. 12/2026 registered at Police Station - Kharsia, District Raigarh (C.G.), for the offences punishable under Section 420 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.



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(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