



2026:CGHC:10523



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1657 of 2026**

1 - Harishankar Yadav S/o Late Rajvanshi Yadav Aged About 64 Years
Resident Of Podi, Bahar Kharmora Korba District- Korba (C.G.)

2 - Ram Sewak Soni S/o Nathuram Soni Aged About 63 Years Resident
Of Indraprastha Colony Pendribhatha Harijan Mohalla Pandri District-
Janjgir-Champa (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through- Police Station Bankimongra District-
Korba (C.G.)

... Non-Applicant(s)

For Applicants	: Mr. Amit Kumar Chaki, Advocate along with Mr. Priyanshu Singh, Advocate.
For Non-Applicant/State	: Mr. Nitansh Jaiswal, Dy. Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****28/02/2026**

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 applicants who have been arrested in connection with Crime
No. 241/2018 registered at Police Station- Bankimongra District-
Korba (C.G.), for the offence punishable under Sections 420, 467,



468, 471 read with Section 34 of IPC.

2. Case of the prosecution, in brief, is that the complainant submitted a written complaint before the Superintendent of Police, Korba on 20.08.2018, stating that in pursuance of an application submitted by him before the Commissioner, Bilaspur during the *Jan Darshan Program* for demarcation of his ownership and possessory land, a team consisting of revenue officers, including the present applicants, was constituted. The said team conducted the demarcation proceedings and submitted its report. On receipt of the report, the complainant found that the said team had prepared the report in favour of the encroachers who had encroached upon his land. Upon a further complaint made by the complainant, another team was constituted to carry out fresh demarcation proceedings and to submit a report. According to the report submitted by the second team, the present applicants had manipulated the documents after the demarcation proceedings in order to extend illegal benefit to a particular person and thereby cheated the complainant. Based on the aforesaid allegations, the present offence was registered against the applicants vide Crime No. 241/2018, and after completion of the investigation, the charge-sheet has been filed. The applicants were taken into custody on 05.02.2026.
3. Learned counsel for the applicants submit that the applicants are innocent persons and have not committed any offence as alleged by the prosecution and have been falsely implicated in the present case. It is submitted that the applicants are retired Government



servants (Revenue Inspectors) and have been arrayed as accused only on the ground that they were members of the demarcation team and had signed the panchnama in that capacity, whereas there is no allegation that they themselves committed any manipulation or interpolation in the panchnama. He further submits that, as per the report of the team constituted by the Collector on the complaint of the complainant, it is the co-accused J.P. Singh, the then Superintendent of Land Records and In-charge of the Demarcation Team, who allegedly manipulated and interpolated the panchnama, and there is not even a whisper in the said report that the present applicants prepared any forged panchnama or carried out any manipulation or interpolation. It is submitted that the said co-accused, against whom specific allegations have been made, has already been enlarged on bail and therefore the present applicants are also entitled to bail on the ground of parity. He further submits that the applicants are retired Government servants, they are in custody since 05.02.2026, the charge-sheet has already been filed and the trial is likely to take considerable time for its conclusion, therefore, there is no justification for their continued detention. It is further submitted that the alleged acts of manipulation, if any, were orchestrated solely by the co-accused J.P. Singh without the knowledge or involvement of the applicants and that the co-accused had even attempted to obtain affidavits from the members of the demarcation team in order to shield himself from the consequences of the inquiry, but the present applicants neither supported him nor made any statement in his



favour before the inquiry committee or the police authorities. He submits that no dishonest inducement, wrongful gain or wrongful loss attributable to the applicants has been alleged and therefore the essential ingredients of the offence of cheating are not made out against them. He lastly submits that in the present case, charge-sheet has already been filed and the applicant has no criminal antecedent and there is no likelihood of early conclusion of the trial. Hence, he is entitled to be enlarged on bail.

4. On the other hand, learned State counsel opposed the prayer for grant of bail and submitted that the allegations against the present applicants are serious in nature, therefore, the applicants are not entitled to be released on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the alleged offence and particularly the fact that the FIR in the present case was registered in the year 2018, whereas the present applicants have been taken into custody only on 05.02.2026 after filing of the charge-sheet and further considering that the applicants are not named in the FIR, have no previous criminal antecedents and that no further custodial interrogation is required, and also taking into consideration that the main allegations of manipulation and interpolation are primarily against co-accused J.P. Singh, who was the In-charge of the Demarcation Team and has already been enlarged on bail and that the present applicants have been implicated mainly on the ground that they



were members of the demarcation team and had signed the panchnama in that capacity and further considering that the charge-sheet has already been filed before the competent Court and the trial is likely to take considerable time for its conclusion, this Court, without commenting anything on the merits of the case, is inclined to grant bail to the present applicants.

7. Accordingly, the bail application of the applicants are **allowed**.
8. Let the applicants – **Harishankar Yadav** and **Ram Sewak Soni**, involved in Crime No. 241/2018 registered at Police Station- Bankimongra District- Korba (C.G.), for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 of IPC., be released on bail on their furnishing a **personal bond** with **two sureties each**, 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 deliberated 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.

9. 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**