



2026:CGHC:12543



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 986 of 2026**

Amleshwar Kumar Vaishnav S/o Rajkumar Vaishnav, Aged About 24 Years R/o Village Palgadi, Mahadevpara, Police Station Darima, District Surguja Chhattisgarh.

--- Applicant**versus**

State of Chhattisgarh Through Station House Officer, Police Station Ambikapur, Ambikapur District Surguja Chhattisgarh.

--- Non-Applicant**Along with****MCRC No. 1876 of 2026**

Vinay Prajapati S/o Bhaiyalal Prajapati Aged About 30 Years R/o Village Palgadi Mahadevpara Post Lahaptara P.S. Darima District - Surguja, Chhattisgarh.

--- Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Ambikapur, District - Surguja, Chhattisgarh.

--- Non-Applicant

For Applicants : Mr. Prakant Sethi, Advocate

Mr. Shakti Raj Sinha, Advocate

For Non-Applicant/State : Ms. Vaishali Mahilong, Deputy G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

**Order on Board****16.03.2026**

1. Since the above-mentioned two first bail applications arise out of same incident, same crime number and registered at same police station, they are clubbed and heard together and are being disposed of by this common order.
2. The applicants have preferred these First Bail Applications under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 357/2025, registered at Police Station : Ambikapur, District - Surguja, (C.G.) for the offence punishable under Sections 318(4), 3(5), 319(2) and 111(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(C) of the I.T. Act.
3. As per the brief prosecution story, upon receipt of a letter from the office of the Additional Superintendent of Police / Nodal Officer, Cyber Cell, District Surguja (C.G.) addressed to the Police Station Incharge, Ambikapur, regarding initiation of legal action against certain Point of Sales (POS) operators allegedly issuing SIM cards on fake identities, an inquiry was conducted by the police. During the course of investigation, it was allegedly found that co-accused Lal Bahadur Sarathi @ Burju, resident of Village Parsa, along with co-accused Tejbal Das had obtained SIM cards of various telecom companies such as Idea, Jio and Airtel from different places during the year 2024 in the names of several villagers including Kamlesh, Virendra Kumar, Sunil Sarathi, Vimlesh, Karan Sarathi and Mathura Singh Sarathi of Village Parsa. It is further alleged that on



the basis of such SIM cards, bank accounts were opened in different banks namely HDFC Bank, Bank of Maharashtra, Punjab National Bank, IDFC Bank, Canara Bank, Bank of Baroda, Bandhan Bank and Indian Overseas Bank at Ambikapur and the accused persons kept the passbooks, ATM cards and cheque books of those accounts with themselves. During the investigation and verification conducted pursuant to letter No. Cell/POS/339/2/2025 dated 24.05.2025, statements of certain witnesses were recorded who stated that some co-accused persons had induced villagers in the year 2024 to open bank accounts on the promise of payment of about Rs.1,000/-, collected their documents and thereafter retained the passbooks and ATM cards, and subsequently certain unauthorized transactions were noticed in those accounts. It has further been alleged in the statements that the present applicant Amleshwar Kumar Vaishanav along with co-accused Ravi Kashyap and Gautam Singh facilitated the opening of such bank accounts by collecting documents from the villagers and thereafter handed over the accounts to co-accused Lal Bahadur Sarathi and Tejbai Das. It is also alleged that the present applicant Vinay Prajapati shared bank accounts, SIM cards, passbooks and ATM cards with a co-accused in connection with the said activities. On the basis of the aforesaid allegations, Crime No. 357/2025 has been registered at Police Station Ambikapur for the said offences and the investigation was taken up, during which co-accused Ravi Kashyap is also stated to have admitted his involvement in connivance with other accused persons. The applicant Vinay Prajapati was arrested on



26.08.2025 and the case is presently at the stage of evidence.

Hence, these bail applications.

4. Learned counsel for the applicants submits that the applicants are innocent persons and have been falsely implicated in the aforesaid case and have not committed any offence, a false report has been lodged against the applicants. They further submit that similarly situated co-accused person, namely, Ravi Kumar Kashyap has already been granted third bail by this Court in MCRC No. 1649/2026 vide order dated 19.02.2026 and the case of the present applicants are identical to that of the co-accused. They further submit that out of 20 prosecution witnesses, only 02 have been examined and both have turned hostile. So far as criminal antecedents of the applicants are concerned, applicants have no previous criminal antecedent registered. Applicant, namely, Amleshwar Kumar Vaishnav is in jail since 30.05.2025 and applicant, namely, Vinay Prajapati is in jail since 26.08.2025 and the conclusion of the trial is likely to take some time, therefore, they submit that the present applicants are also entitled to be released on regular bail on the ground of parity.
5. On the other hand, learned counsel for the State opposes the bail application of the applicants but could not dispute the fact that co-accused has already been granted bail by this Court and the case of the present applicants are identical to that of the co-accused.
6. I have heard learned counsel for the parties and perused the case diary.



7. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicants and the fact that co-accused person, namely, Ravi Kumar Kashyap has already been granted bail by this Court in MCRC No. 1649/2026 vide order dated 19.02.2026 and the case of the present applicants are identical to that of the co-accused, further the fact that out of 20 prosecution witnesses, only 02 have been examined and both have turned hostile, both the applicants have no previous criminal antecedents and applicant, namely, Amleshwar Kumar Vaishnav is in jail since 30.05.2025 and applicant, namely, Vinay Prajapati is in jail since 26.08.2025, charge-sheet has been filed in the present case and conclusion of the trial is likely to take some time, therefore, this Court is of the view that the present applicants are entitled to be released on bail in this case on the ground of parity.
8. Accordingly, the bail applications of the applicants are **allowed**. Let the Applicants – **Amleshwar Kumar Vaishnav** and **Vinay Prajapati**, involved in Crime No. 357/2025, registered at Police Station : Ambikapur, District - Surguja, (C.G.) for the offence punishable under Sections 318(4), 3(5), 319(2) and 111(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(C) of the I.T. Act, be released on bail on furnishing **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 misuse 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.

9. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Rahul Dewangan