



2026:CGHC:10259



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1929 of 2026

Shekhar Thapliyal S/o Premchand Thapliyal, Aged About 34 Years, R/o Village Dandi, Post Office Motherowala, Thana - Nehru Colony, Dehradun, District Dehradun, Uttrakhand

... Applicant

versus

State of Chhattisgarh Through The District Magistrate - Raigarh, District Raigarh Chhattisgarh (Concerned Police Station Kharsiya)

... Non-applicant

For Applicant : Mr. Hari Agrawal, Advocate.

For Non-applicant/State : Dr. Saurabh Pandey, Deputy Advocate General.

Hon'ble Mr. Ramesh Sinha, Chief Justice **Order on Board**

27.02.2026

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 applicant who has been arrested in connection with Crime No. 412/2024 registered at Police Station - Kharsiya, District - Raigarh (C.G.) for the offence punishable under Sections 420 of Indian Penal Code and 66 D of the Information Technology Act.
2. Case of the prosecution, in brief, is that the complainant is employed at SKS Power Plant, Binjkot, Darramuda, in the Coal Commercial Division. On 22.02.2024, he received a link via a WhatsApp message, and his mobile number was added to a WhatsApp group. In the said group, he observed that members were allegedly earning profits of 7-8% through



the purchase and sale of shares. Consequently, on 09.03.2024, he expressed his desire to join the group. Thereafter, the complainant downloaded an application named “Samara Pro” from the Google Play Store and commenced monetary transactions and online share trading through the said application. Subsequently, he began receiving daily notifications on his mobile phone regarding the purchase and sale of specific shares from a mobile number purportedly belonging to Vikram Aggarwal, CEO of Samara Capital. Between 09.03.2024 and 27.03.2024, the complainant invested a total sum of Rs. 91,00,000/-. It is alleged that his share portfolio grew to a value of Rs. 5.26 crore, purportedly due to additional allotment of fund value in IPOs as advised by the personnel of Samara Capital. Thereafter, the personnel of Samara Capital allegedly pressured the complainant to pay the difference in profit. Upon his refusal, they restricted access to his trading account, liquidated his portfolio for Rs. 3.67 crore, and placed a hold on the entire trading account. Being unable to access his trading account, the complainant lodged a written complaint against the CEO of Samara Capital, namely Vikram Aggarwal.

3. During the course of investigation, on the basis of money transfers into various bank accounts, the police apprehended accused Ashish Agrawal, Kuldeep Singh Rawat, and the present applicant on 03.05.2025. Upon completion of the investigation, a final report bearing No. 281/2025 dated 18.06.2025 was filed for offences under Section 420 of the IPC and Section 67D of the IT Act against three accused persons, including the present applicant, while one accused, Harsh Badoriya, was shown as absconding.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that the identically situated co-accused,



namely, Ashish Agrawal has been granted regular bail by the Hon'ble Apex Court vide order dated 30.01.2026 in Special Leave to Appeal (Crl) No(s), 21040/2025. Further, there are two other FIRs relating to the same incident, explanation of the same has been given in paragraph No. 4A. Further, the applicant is in jail since 03.05.2025, the charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

5. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case, but could not dispute the fact that the co-accused has already been granted regular bail by the Hon'ble Supreme Court.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 03.05.2025, also considering the fact that co-accused, namely, Ashish Agrawal has been granted regular bail by the Hon'ble Apex Court vide order dated 30.01.2026 in Special Leave to Appeal (Crl) No(s), 21040/2025, further, there are two other FIRs relating to the same incident, explanation of the same has been given in paragraph No. 4A, and the case of present applicant is identical to that of the aforementioned co-accused person, further charge-sheet has been filed in the present case, this Court is of the view that the applicant is entitled to be released on bail in this case.
8. Accordingly, the application is **allowed**.
9. Let the Applicant- **Shekhar Thapliyal**, involved in Crime No. 412/2024 registered at Police Station - Kharsiya, District - Raigarh (C.G.) for the offence punishable under Sections 420 of Indian Penal Code and 66 D of



the Information Technology Act, be released on bail on his furnishing a **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.

(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.

- 10.** 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