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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1886 of 2026

1 - Jitendra Kumar Yadav S/o Late Ajit Ram Yadav Aged About 38 Years
R/o House No. L.I.G. 04 Dindayal Colony, Mangala P.S. Civil Line Teh.
Bilaspur District Bilaspur Chhattisgarh.

2 - Ram Prasad Yadav S/o Late Anjori Lal Yadav Aged About 65 Years
R/o Podi P.S. Sakari Teh. Sakari District Bilaspur Chhattisgarh.

... Applicants

versus

State of Chhattisgarh Through Station House Officer, Civil Line Bilaspur
District Bilaspur Chhattisgarh.

... Non-Applicant

For Applicants	: Mr. Shivang Dubey, Advocate
For Non-Applicant/State	: Ms. Anusha Naik, Deputy Govt. Advocate

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

25.02.2026

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 applicants who have been arrested in connection with Crime No. 99/2024 registered at Police Station- Bilaspur District Bilaspur, (C.G.) for the offence punishable under Sections 420 and 34 of Indian Penal Code, 1860 and Section 317(2) of the Bharatiya Nyaya Sanhita, 2023.



2. Case of the prosecution, in brief, is that the complainant lodged a written report at Civil Line Police Station, Bilaspur, which was registered as FIR No. 99/2024 on 21.01.2024. As per the prosecution, on 14.10.2023, the complainant had boarded a city bus from Bilha to return to her village, Semra, and after alighting at Bilaspur New Bus Stand at about 2:30 PM, she was approached by two unidentified persons riding a motorcycle, who falsely informed her that her name had been included in a housing scheme and demanded Rs.5,000/- along with Rs.500/- towards stamp charges, asking her to come to Nehru Chowk. It is alleged that one of the accused persuaded her to sit in an auto-rickshaw while the other followed on a motorcycle up to Nehru Chowk, where at about 3:00 PM one of them pretended to approach the authorities on her behalf and, on the pretext of arranging the house, demanded money and ultimately induced her to hand over the gold locket worn around her neck. Thereafter, the accused persons fled from the spot and did not return, and upon making inquiries, the complainant realized that she had been cheated. On the basis of the said report, Crime No. 99/2024 was registered at Police Station Civil Line, District Bilaspur, and after investigation and finding the involvement of the accused persons, charge-sheet has been filed under Sections 420 and 34 of the Indian Penal Code and Section 317(2) of the Bharatiya Nyaya Sanhita. Hence, this bail application.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated by the complainant and the prosecution. It is contended that there is an inordinate and



unexplained delay in lodging the complaint, which creates serious doubt over the prosecution story. It is further submitted that the entire case appears to have been concocted at the police station, as is evident from the police statements, which indicate that the complainant's statement was recorded even prior to the alleged date of incident and the statements of other witnesses were recorded after about two years, clearly suggesting manipulation to falsely implicate the present applicants. It is also submitted that no seizure has been made from the personal possession of the applicants. He further submits that on a single day, i.e., 03.01.2026, the police registered and proceeded in three different crime numbers, namely Crime No. 14/2026, 99/2025 and 1527/2025, and apprehended the applicants in all three cases on the same day on the basis of an inadmissible memorandum statement of a co-accused in Crime No. 1527/2025, which itself demonstrates false implication. It is further submitted that in two out of the three cases, the applicants have already been granted bail by this Hon'ble Court. He further submits that similarly situated co-accused, namely, Kanhaiya Lal Soni has also been granted bail by this Court in MCRC No. 579/2026 vide order dated 24.02.2026. He also submits that applicant No. 02 is a 65-year-old man and the sole breadwinner of his family and the applicants are in jail since 04.01.2026, 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 applicants on the ground of parity.



4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused has already been granted bail by this Court and the case of the present applicants is identical to that of the co-accused.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicants since 04.01.2026, the fact that though the present applicants and other co-accused were committed the said crime, but other co-accused, namely, Kanhaiya Lal Soni has also been granted bail by this Court in MCRC No. 579/2026 vide order dated 24.02.2026, and the case of present applicants is identical to that of the co-accused person, further the applicants have three criminal antecedents, out of the three cases, the applicants have already been granted bail by this Court in two cases, the charge-sheet has been filed in the present case, this Court is of the view that the applicants are entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application of the applicants is **allowed**. Let the Applicants – **Jitendra Kumar Yadav** and **Ram Prasad Yadav**, involved in Crime No. 99/2024 registered at Police Station-Bilaspur District Bilaspur, (C.G.) for the offence punishable under Sections 420 and 34 of Indian Penal Code, 1860 and Section 317(2) of the Bharatiya Nyaya Sanhita, 2023, 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



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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.

8. 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