



2026:CGHC:9262



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1847 of 2026

Aslam Khan S/o Yusuf Khan Aged About 40 Years R/o Ward No. 17, Police Station - City Kotwali, District- Rajnandgaon (C.G.)

... Applicant

versus

State of Chhattisgarh Through The Station House Officer, Police Station Sahaspur Lohara, District- Kabirdham (C.G.)

... Non-applicant

For Applicant : Mr. Shubham Tiwari along with Ms. Najmi Begaam, Advocates.

For Non-applicant/State : Ms. Anusha Naik, Dy. Government Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.02.2026

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 applicant who has been arrested in connection with Crime No. 05/2025 registered at Police Station Sahaspur Lohara, District – Kabirdham (C.G.), for the offence punishable under Sections 420, 467, 468, and 471 of the Indian Penal Code (IPC).
2. The prosecution story in brief is that on 06.01.2025, the complainant, Gopeshwar Sahu, submitted a written complaint before Police Station Sahaspur Lohara, District Kabirdham (C.G.), stating that an



advertisement for the post of Patwari was published in 2022, for which both the complainant and his wife, Gulapa, had applied. On 27.04.2022, three days after the examination conducted in April 2022, his father-in-law, Tijau Sahu, brought the accused to his house. The applicant/accused claimed to be well acquainted with the Secretary at the Raipur Ministry and stated that he had secured appointments for several persons as clerks there. He then demanded Rs. 10,00,000/- from the complainant and his wife for securing their appointment to the post of Patwari. Falling prey to the words of the accused, the complainant gave Rs. 50,000/- in cash, which was kept at home. Thereafter, a total sum of Rs. 4,90,000/- was deposited into the accused's account through a Choice Centre on different dates, and the accused also visited the complainant's house on various occasions and allegedly received a total of Rs. 4,60,000/-. However, when the examination results were declared and neither the complainant nor his wife was selected, the complainant demanded the return of the money from the applicant/accused, but he failed to return the same. On the basis of the said complaint, the police registered the alleged offence against the present applicant/accused and arrested him.

3. Learned counsel for the applicant submits that the present applicant is innocent person and has been falsely been implicated in the aforesaid case. He submits that the present applicant has not received any amount from the complainant for appointment to the post of Patwari and has been falsely implicated in the present case. He submits that there is an inordinate delay in lodging the F.I.R., whereas the alleged date of the incident was 27.04.2022, but the F.I.R. was lodged by the complainant only on 06.01.2025, without any explanation for such delay. He submits that the present applicant has no criminal antecedents and he has been



in jail since 12.08.2025, conclusion of the trial may take some time, therefore, he prays for grant of regular bail to the present applicant.

4. On the other hand, learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has already been submitted before the competent Court in the present case.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, particularly the inordinate delay in lodging the F.I.R., as the alleged date of the incident was 27.04.2022 whereas the F.I.R. was lodged by the complainant only on 06.01.2025, without any explanation for such delay, and further considering that the applicant has no criminal antecedents, and that the charge-sheet has already been filed before the competent Court, and the applicant has been in jail since 12.08.2025, and as the conclusion of the trial may take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Aslam Khan**, involved in Crime No. 05/2025 registered at Police Station Sahaspur Lohara, District – Kabirdham (C.G.), for the offence punishable under Sections 420, 467, 468, and 471 of the Indian Penal Code (IPC), be released on bail on his furnishing **personal bond** with **two 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.

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