



2026:CGHC:10252

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRCA No. 312 of 2026**

Sitaram Sahu S/o Shri Dasruram Sahu Aged About 52 Years R/o Ghutkel,
Police Station- Borai, Tehsil- Belargaon, Distt- Dhamtari C.G.
...Applicant

versus

State Of Chhattisgarh Through Police Station Borai, District Dhamtari C.G.
... Respondent

For Applicant	: Mr. R.S. Patel, Advocate.
For Non-applicant/State	: Ms. Vaishali Mahilong, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****27.02.2026**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.07/2026 registered at Police Station – Borai, District Dhamtari (C.G.) for the offences punishable under Sections 318(4), 338, 339, 340 of the BNS 2023.
2. The prosecution case, in brief, is that the complainant, Bodhn Ram Mandai, who is serving as Mandi Secretary, lodged an FIR against the

applicant, Sitaram Sahu, proprietor of Sitaram Traders and a licensed trader of Krishi Upaj Mandi Samiti, Nagri (License No. 159020062). It is alleged that during the period from 15.11.2025 to 31.12.2025, the applicant generated 36 gate passes (e-permits) through the E-Mandi portal showing transportation of 3830 quintals of paddy. During inspection and verification, the authorities compared three sets of records, namely, (i) data available on the E-Mandi portal, (ii) the stock register (Form B-1) maintained by the applicant, and (iii) the entries recorded at the Mandi Check Post. As per the applicant's stock register, the total quantity recorded during the relevant period was 3370 quintals, thereby reflecting a difference of 460 quintals when compared to the quantity of 3830 quintals shown in the E-Mandi portal. Further, the Mandi Check Post register allegedly recorded 58 permits indicating transportation of 6470 quintals of paddy during the same period, and the authorities alleged that 2640 quintals were transported in excess of the quantity reflected in the E-Mandi portal. It is also alleged that 21 gate passes were not reflected in the E-Mandi portal data and 9 gate passes were not recorded in the Check Post register, indicating an additional discrepancy of approximately 920 quintals. On the basis of such comparative analysis, the prosecution concluded that a total of 3470 quintals of paddy had been illegally transported, causing an alleged financial loss of approximately Rs. 15,20,000/-. Accordingly, Police Station Boral, District Dhamtari, registered Crime No. 07/2026 for offences punishable under Sections 318(4), 338, 339 and 340 of the Bharatiya Nyaya Sanhita, 2023, and initiated investigation.

3. Learned counsel for the applicant submits that the applicant, being the proprietor of Sitaram Traders and a licensed trader of Krishi Upaj Mandi

Samiti, is innocent and has been falsely implicated in the present case. It is contended that the entire prosecution case is based merely on reconciliation of records, namely the E-Mandi portal data, stock register and Check Post register, without any material evidence of actual illegal transportation or fraudulent intent. It is further submitted that prior to registration of the FIR, the Mandi Secretary had issued a show-cause notice and allegedly made unlawful monetary demands beyond the mandi dues, and upon refusal by the applicant, the present FIR has been lodged with *mala fide* intention. Attention is drawn to material inconsistencies in the alleged quantity of paddy, as the show-cause notice refers to 3260 quintals, whereas the FIR mentions 3470 quintals, thereby creating serious doubt about the accuracy and reliability of the prosecution case; copies of the show-cause notice dated 17.01.2026 and reply dated 23.01.2026 have been filed as Annexures A/3 and A/4 respectively. It is also submitted that the Check Post register is maintained exclusively by the mandi authorities and any discrepancy therein cannot automatically fasten criminal liability upon the applicant. The essential ingredients of the alleged offences, particularly under Section 318 of the Bharatiya Nyaya Sanhita, are not made out, as there was no dishonest intention or deception from the inception. The applicant has not prepared any forged document nor derived any unlawful monetary benefit. He is a licensed trader with no criminal antecedents, a permanent resident with movable and immovable properties, and undertakes to cooperate with the investigation. There is no likelihood of his absconding or tampering with evidence, and custodial interrogation is not required; rather, arrest would cause irreparable harm to his reputation and business. The applicant is ready

to abide by all terms and conditions that may be imposed by this Hon'ble Court while granting anticipatory bail.

4. Learned State counsel opposes the anticipatory bail application and submits that serious discrepancies were found in the records maintained by the applicant, a licensed trader, during comparison of the E-Mandi portal data, stock register and Mandi Check Post register, revealing illegal transportation of 3470 quintals of paddy and causing an alleged loss of approximately Rs. 15,20,000/- to Government revenue. It is contended that the material collected during investigation *prima facie* discloses commission of offences under Sections 318(4), 338, 339 and 340 of the Bharatiya Nyaya Sanhita, 2023, and considering the gravity of the allegations, the applicant is not entitled to anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence, and the material available in the case diary, including the FIR lodged by the Mandi Secretary and the documents collected during investigation, it appears that upon comparison of the E-Mandi portal data, the stock register (Form B-1) maintained by the applicant and the Mandi Check Post register, serious discrepancies have been detected, and *prima facie* substantial variation in the quantity of paddy reflected in the different records has been noticed, with the prosecution alleging that 3470 quintals of paddy were transported illegally, thereby causing financial loss to the Mandi the allegations relate to manipulation of official records and generation of

gate passes through the E-Mandi portal, involving documentary evidence and financial irregularities affecting public revenue, and at this stage, when the investigation is in progress and the accusations are of a serious economic nature, this Court does not find it appropriate to exercise discretion in favour of the applicant, and accordingly, the anticipatory bail application stands rejected.

7. Accordingly, the anticipatory bail application of the applicant – **Sitaram Sahu**, involved in Crime No.07/2026 registered at Police Station – Borai, District Dhamtari (C.G.) for the offences punishable under Sections 318(4), 338, 339, 340 of the BNS 2023, is **rejected**.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE