



2026:CGHC:12480



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2378 of 2026**

1 - Banke Bihari Nishad S/o Gopal Ram Nishad Aged About 24 Years R/o Ward No. 19, Sangharsh Chowk, Shankar Nagar, Nayapara Gobra, P.S. Gobra Nayapara, District Raipur Chhattisgarh

2 - Kunjbihari S/o Gopal Ram Nishad Aged About 30 Years R/o Ward No. 19, Sangharsh Chowk, Shankar Nagar, Nayapara Gobra, P.S. Gobra Nayapara, District Raipur Chhattisgarh

... Applicants(s)**versus**

State Of Chhattisgarh Through Station House Officer, Police Station - Rajim, District Gariyaband Chhattisgarh

... Non-applicants(s)

For Applicants : Mr. Amitabh Verma, Advocate along with Ms. Anju Verma, Advocate.

For Non-applicants/State : Ms. Vaishali Mahilong, Dy. Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****16/03/2026**

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 applicants who have been arrested in connection with Crime No. 145/2025 registered at Police Station- Rajim, District- Gariyaband (C.G.), for the offence punishable under Sections



317(2), 317(4), 318(4), 61(2)(A) and 3(5) of the BNS.

2. Case of the prosecution, in brief, is that on 17.05.2025, Police Station Rajim, District Gariyaband (C.G.) registered Crime No. 145/2025. It is alleged in the FIR that, based on reliable information received through the Coordination Portal operated by the Ministry of Home Affairs, Government of India, the police investigated a mule bank account racket. During the course of investigation, seven mule bank accounts were identified in the Bank of Maharashtra, Rajim Branch (C.G.), and transactions amounting to Rs. 4,16,96,238/- were found to be related to the crime committed by unknown persons. The allegation against the present applicants is that certain transactions were reflected in their bank accounts bearing No. 605093400556 and 60509274354 maintained with the Bank of Maharashtra. It is further alleged that, out of greed, they provided their bank accounts to other persons and received commission/dividends in return. Based upon such, aforementioned offences were registered against the applicants along with co-accused.
3. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in the present case. It is further submitted that the bail application of co-accused Mohnish Kumar Tandiya was earlier rejected by this Court, however, he preferred SLP (CrI.) No. 18750/2025 before the Hon'ble Supreme Court and vide order dated 22.01.2026, the Hon'ble Supreme Court has been granted bail to him. It is also submitted that another similarly situated co-accused, namely Pawan Kumar Miri, has been



granted bail by this Court in MCRC No. 985/2026, vide order dated 29.01.2026. The applicants is in judicial custody since 18.05.2025 and the conclusion of the trial is likely to take considerable time. Therefore, on the ground of parity and prolonged detention, the applicants prays for grant of bail.

4. On the other hand, learned State Counsel, appearing for the State/non-applicants, submit that the charge-sheet has been filed before the competent Court and the trial is currently in progress. She further concur with the submission made on behalf of the applicants to the effect that the principle of parity may be considered, however, she contend that the serious nature of the offences, the ongoing investigation and the possibility of influencing witnesses weigh against granting bail to the applicants at this stage.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case that the bail application of co-accused Mohnish Kumar Tandiya was earlier rejected by this Court, however, he preferred SLP (Crl.) No. 18750/2025 before the Hon'ble Supreme Court and vide order dated 22.01.2026, the Hon'ble Supreme Court has been granted bail to him and further considering the fact that another similarly situated co-accused, namely Pawan Kumar Miri, has been granted bail by this Court in MCRC No. 985/2026, vide order dated 29.01.2026 and the applicants are in judicial custody since 18.05.2025 and the conclusion of the trial is likely to take considerable time and in the present case, charge-sheet has been



filed before the competent Court and the applicants have no criminal antecedents thus, without further commenting anything on merits, I am inclined to grant bail to the applicants.

7. Accordingly, the bail application of the applicants are **allowed**.
8. Let the applicants – **Banke Bihari Nishad** and **Kunjbihari**, involved in Crime No. 145/2025 registered at Police Station- Rajim, District- Gariyaband (C.G.), for the offence punishable under Sections 317(2), 317(4), 318(4), 61(2)(A) and 3(5) of the BNS., be released on bail on their furnishing a **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 misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and the applicants fails 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 deliberated 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 send a certified copy of this order to the trial Court for necessary information and compliance.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal