



2026:CGHC:13194



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2573 of 2026**

Jonsan Semual S/o Semual Aged About 40 Years R/o G-81, Sant Nagar Extension Shahpura, Police Station - Tilak Nagar, New Delhi, Permanent R/o N-18, Ejigbo State Lagosh, Country Nigeria (Passport Republic Of Ghana) (Particulars Of The Applicant Is Mentioned Correctly)

... Applicant(s)**versus**

State Of Chhattisgarh Through Station House Officer - Dongargaon, District Rajnandgaon, Chhattisgarh

---- Non-Applicant(s)

For Applicants : Mr. Anmol Sharma, Advocate.

For Non-Applicant/State : Ms. Anusha Naik, Dy. Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****19/03/2026**

1. This is the Second 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. 189/2024 registered at Police Station- Dongargaon, District- Rajnandgaon (C.G.), for the offence punishable under Sections 318(4) and 3(5) of BNS and Section 66D of I.T. Act.
2. The earlier first bail application of the applicant being MCRC No.3196 of 2025 was rejected by this Court vide order dated 20.05.2025, on merits. Hence, this bail application.



3. The prosecution's case, in brief, is that, as per prosecution story in short - the complainant Apurva Fuljhele lodged a written report alleging that she has received call from the mobile number 7459052759 namely Alok Deshpandey in respect of the his marriage, it was stated by the Alok Deshpandey he was working at UK, it is further alleged that on dated 11.07.2024 she has received phone call from unknown lady demanded money, thereafter said Alok Deshpandey obtained total Rs. 15,72,000/- from the complainant in different date. It is further alleged that in enquiry it was found that the said mobile number possessed from the present applicant, thereafter offence under Section 318(4), 3(5) of BNS Act & Section 66 D of I.T. Act registered against the present applicant as well as Alok Deshpandey.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and there is no material evidence available on record to connect him with the alleged offence. It is contended that the applicant has been arrested merely on the basis of suspicion and no incriminating article has been seized from his possession. It is further submitted that, as per the complainant herself, the alleged amount was transferred to the account of co-accused Alok Deshpandey and the present applicant is neither the beneficiary nor directly involved in the transaction. The only allegation against the applicant is with regard to possession of a mobile number, which the prosecution has failed to establish as belonging to the applicant. It is also submitted that this Court, while dismissing the previous bail application, had directed expeditious



trial within a period of six months, however, despite lapse of almost nine months, only three out of twelve prosecution witnesses have been examined and the applicant has been in custody since 11.12.2024. It is further contended that the mother of the applicant is suffering from old age ailments and the applicant is the sole earning member of the family, responsible for her care and medical needs. In absence of any direct or documentary evidence establishing the involvement of the applicant in the alleged offence, the case against him is not made out and he deserves to be enlarged on bail.

5. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has already been filed in the present case before the competent Court. She further submits that the present applicant is a resident of the Republic of Ghana and has three criminal antecedents and is presently residing in Delhi. It is contended that by creating a false identity on Shadi.com, the applicant, in connivance with co-accused persons, has committed an online fraud of Rs. 15,72,000/- with the complainant. It is also pointed out that the applicant entered India in the year 2018 on a tourist visa, which expired in the year 2022 and he has continued to stay thereafter without valid authorization. It is further submitted that the first bail application of the applicant has already been rejected by this Court in MCRC No. 3196/2025 vide order dated 20.05.2025. Hence, the present bail application is also liable to be rejected.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, particularly the



fact that the first bail application of the applicant has already been rejected on merits by this Court and that out of 12 prosecution witnesses, 03 witnesses have already been examined by the learned trial Court and the grounds urged by learned counsel for the applicant that the applicant has been arrested merely on the basis of suspicion, that no incriminating article has been seized from his possession and his mother is suffering from old age ailments and he has been in custody since 11.12.2024, do not constitute sufficient grounds for grant of bail. Further, although this Court had earlier directed the learned trial Court to conclude the trial within a period of six months and despite lapse of about nine months the trial has not yet concluded, the same, in the facts of the present case, cannot be a ground to enlarge the applicant on bail.

8. Accordingly, the Second bail application of the applicant namely, **Jonsan Semual**, involved in Crime No. 189/2024 registered at Police Station- Dongargaon, District- Rajnandgaon (C.G.), for the offence punishable under Sections 318(4) and 3(5) of BNS and Section 66D of I.T. Act., is **rejected**.
9. Learned trial Court concerned is directed to conclude the trial on day to day basis under Section 346 of BNSS (corresponding Section 309 of Cr.P.C.), within a period of four weeks from the date of receipt of a certified copy of this order, if there is no legal impediment.
10. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice