2026:CGHC:17878

2026:CGHC:17878

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2114 of 2026

- Jayant Ahirwar S/o Ramesh Ahirwar Aged About 23 Years (Age Of The Applicant Not Mentioned Properly), R/o Indira Colony, Near Pani Tanki Chow, Galla Mandi, Sihore, (M.P.)

... Applicant(s)

versus

- State Of Chhattisgarh Through Office-In-Charge, Police Station - Urla, District- Raipur (C.G.)

... Respondent(s)

(Cause title is taken from Case Information System)

For Applicant(s)	:	Mr. Tanuj Patwardhan, Advocate
For Respondent(s)	:	Ms. Anusha Naik, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

20/04/2026

1. This is the First bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant arrested in connection with Crime No. 388/2024 registered at Police Station – Urla District – Raipur (C.G.) for the offence punishable under Section 318(4) of BNS and 66(D) of Information Technology Act, 2000.

2. As per prosecution story in brief is that the complainant, Khemchand Patel, was approximately six months prior to the lodging of the complaint contacted on his mobile number

9039737174 by unknown persons using mobile numbers 8872413619, 6232110291 and 7339321073, who represented themselves as officials of IEF (International Equity Fund), allegedly a SEBI-registered FPI stock broker company (Registration No. INUSPPO57816), and induced him to invest in the stock market on the false assurance of assured profits without any risk of loss; initially he was persuaded to join a WhatsApp group under the pretext of a free trial without charges, where for about 3-4 months other members regularly shared screenshots of their investments and profits, thereby creating confidence and credibility, and thereafter in September 2024 he was registered on the IEF application and induced to transfer funds from his Bank of Baroda account No.39170100006434 into various bank accounts, including IDFC Bank Account No. 10183056357 and other specified accounts, the guise of wallet recharge and investment, totaling 12,94,700/-, following which the application displayed a graded profit showing a balance of ₹29,38,112/- in his wallet; however, when he applied for withdrawal on 30.10.2024, the same was not approved, he received no response from the group administrators, was subsequently removed from the WhatsApp group, and his number was blocked, thereby revealing a well-orchestrated online share trading fraud; upon his complaint, Crime No. 388/2024 was registered at Police Station Urla under Section 318(4) of the Bharatiya Nyaya Sanhita and Section 66(D) of the Information Technology Act, and pursuant to the recommendation of the Superintendent the matter was transferred to Range Cyber Police Station, Raipur for further investigation, where details of beneficiary bank accounts and CAF of the mobile numbers were obtained from the concerned banks and statutory notices were issued; investigation established that mobile number 6232110291 was used in the commission of the fraud, and upon interrogation the registered SIM holder Jayant Ahirwar gave a memorandum statement admitting that he had provided the said SIM to Rahul Ahirwar, knowing that it would be used for online fraud, and that he had received ₹5,000/- for the SIM which he spent for personal use, Based on this allegation the applicant has been arrested. Hence this application for bail.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in the present case. It is submitted that the Investigating Agency has failed to place on record, along with the final report, any document to demonstrate that the applicant received the alleged amount in his personal bank account or that he utilized the same for his personal benefit. The prosecution has not established any direct financial link between the applicant and the alleged fraudulent transactions. It is further submitted that the allegations against the applicant are limited to the purported "sale" of a SIM card. However, the applicant has categorically stated, in response to the notice issued under Section 94 of the B.N.S.S., that he had merely handed over his SIM card to his friend, Rahul Ahirwar, and had no knowledge of its alleged misuse. He also

submits that the present applicant is in jail since 15.12.2025 and 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, the learned State counsel opposes the bail application and submits that applicant has no criminal antecedents. She also submits that as per this Court's order dated 03.03.2026, concerned Investigating Officer has filed his personal affidavit in the present case.

5. I have heard learned counsel for the parties and perused all of the documents available on record.

6. In compliance of the Court's order dated 03.03.2026, the Investigating Officer of the subject crime number, Police Station – Urla, District – Raipur (C.G.), has filed his affidavit showing the incriminating evidence collected against the applicant during the course of investigation, and relevant paragraphs of the affidavit is quoted here as under:

> "5.That, during the course of investigation, it is found that by making a whatsapp call to the complainant/victim and deceiving him to earn more profit in buying and selling of shares, the fraudster, using the net banking service through Mobile Number 6232110291 from 23.07.2024 to 29.10.2024, was found to have committed fraud of a total amount of Rs. 12,94,700/- as a result of which, the mobile SIM holder Jayant Ahirwar/present accused applicant, Resident of Indira Colony, Galla Mandi, PS Mandi, District Sehore (M.P.).

6.That, thereafter, during investigation, the present accused was summoned with regard to the subject transactions made by him therein, a notice under the provisions of the of the B.N.S.S., 2023 was issued to him for interrogation in relation to the bank accounts operated by him and the transactions therein. The present accused appeared and was summoned and notice under the provisions of the B.N.S.S., 2023 to produce documents in relation to the bank account kit, amount received, registered mobile number. Thereafter, the memorandum statement of the present accused was duly recorded.

7.That, in the memorandum statement before the concerned witnesses, the applicant has categorically stated and confessed to receiving the proceeds of crime in connivance with the other accused persons. It is further stated by the present accused applicant that, he had given the said mobile number SIM No. 6232110291 to one Rahul Ahirwar and the said accused Rahul Ahirwar has used the mobile SIM for online fraud and the present accused applicant received Rs. 5000/- on selling the mobile number SIM, which was spent on daily use."

7. I have heard learned counsel for the parties and perused the case diary.

8. Taking into consideration the facts and circumstances of the case, and upon perusal of the case diary, applicant has no prior criminal antecedents and also considering the fact that applicant has categorically admitted to having received proceeds of crime in connivance with the other accused persons and the present applicant provided the mobile SIM bearing No. 6232110291 to one

2026:CGHC:17878

Rahul Ahirwar and he used the said SIM card for committing online fraud, further the applicant has also admitted that he received a sum of ₹5,000/- in exchange for providing the SIM card, which amount was subsequently spent on his daily expenses, and the applicant has also admitted his involvement, explicitly stating that he provided bank accounts for fraudulent activities, therefore I am not inclined to allow this bail application.

9. Accordingly, this bail application of applicant – **Jayant Ahirwar** involved in Crime No.388/2024 registered at Police Station – Urla District – Raipur (C.G.) for the offence punishable under Section 318(4) of BNS and 66(D) of Information Technology Act,2000. for the offence punishable under Section 318(4) and 3(5) of BNS, is **rejected** at this stage.

10. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.

11. 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

Saxena