



2026:CGHC:12459

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No.402 of 2026**

Vishwanath Rai S/o Shri Vaishnav Rai Aged About 63 Years R/o-
58, Ward No. 05, Indira Awaspara, Pakhanjoor, North Bastar, Distt.
Kanker, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through P.S. Sarkanda, Distt. Bilaspur,
Chhattisgarh. **... Non-applicant**

For Applicant	:Mr. Yatharth Singh, Advocate.
For Non-applicant/State	:Ms. Vaishali Mahilang, Dy. G.A.
For Complainant	:Mr. Vikas Pandey, Advocate.
For Objector	:Mr. Tapan K Chandra, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

16.03.2026

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by



the Applicant, who is apprehending his arrest in connection with Crime No.759/2025 registered at Police Station – Sarkanda, District Bilaspur (C.G.) for the offence punishable under Sections 420, 467, 468, 471 and 120-B IPC.

2. Prosecution case, in brief, is that complainant Mohammad Azam Khan lodged a report at Police Station Sarkanda alleging that he had entered into an agreement with the accused persons for purchase of 1,500 sq. ft. of land situated at Ashok Nagar, Birkona Road, Bilaspur for a consideration of Rs.18,75,000/-. The accused persons allegedly represented that the land was diverted and would be developed as a residential colony with basic amenities, upon which the complainant paid Rs.51,000/- as token amount through cheque and subsequently transferred Rs.85,000/- through PhonePe to Nadeem Ahmed and Rs.2,00,000/- to the present Applicant. It is further alleged that the complainant obtained a housing loan of Rs.17,55,000/- through ICICI Bank and the sale deed was executed on 30.03.2022. However, when the complainant applied for mutation, Additional Tehsildar, Bilaspur, rejected the application on 11.07.2023 on the ground that the land was Government leasehold land and could not be sold without prior permission of the Collector. Thereafter, alleging that the accused persons neither returned



the amount nor resolved the issue and instead threatened him, the complainant lodged the present FIR. Based on these allegations, the aforesaid offence has been registered against the present Applicant. Hence, this application.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that the Applicant is a retired Government employee who had lawfully purchased the land bearing Khasra No. 559/2 admeasuring 0.43 acre through a registered sale deed dated 28.06.2003 for a valid consideration of Rs.8,71,200/- and thus had bona fide title over the said land. It is further submitted that after decline in Naxal activities in Bastar, the Applicant decided to sell the said land and in December 2021 co-accused Nadeem Ahmed approached him stating that he could sell the land at a good price and would take care of all necessary formalities. Relying upon such assurance, the Applicant executed the sale deed through the said broker without having any knowledge of any alleged illegality, leasehold restriction or conversion issue relating to the land. He lastly submits that conclusion of trial is likely to take quite some time for its conclusion, therefore, the present Applicant may be granted anticipatory bail.



4. On the other hand, learned Counsel for the State, Complainant and Objector opposed the prayer for grant of anticipatory bail.
5. Considering the submissions made by learned Counsel for the parties, the facts and circumstances of the case and further considering that the Applicant is a retired Government employee who had merely sold his land through a broker and he had no knowledge of any alleged illegality relating to the land, without further commenting anything on the merits of the case, this Court is inclined to allow the anticipatory bail application.
6. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the Applicant – **Vishwanath Rai**, on executing a personal bond with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-
 - (a) The Applicant/s shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such fact to the Court.
 - (b) The Applicant/s shall not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) The Applicant/s shall appear before the trial Court on each and every date given to him/her/them by the said Court till disposal of the trial.
 - (d) The Applicant/s and the surety shall submit a copy of his/her/their adhaar card alongwith a colored postcard full size photo having printed the adhaar



2026:CGHC:12459

number on it, which shall be verified by the trial Court.

(e) The Applicant/s shall not involve himself/herself/themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
Chief Justice

Priya