



2026:CGHC:15043



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2236 of 2026

1 - Dev Sonkar @ Devf Kumar Sonkar @ Sonu @ Dev S/o Kishori Lal Sonkar Aged About 25 Years R/o Sakin- Bada Bazar Chirmiri, Police Station Chirmiri, District Manendragarh-Chirmiri-Bharatpur (C.G.)

... Applicant

Versus

1 - State Of Chhattisgarh Through- Station House Officer, Police Station Chirmiri, District Manendragarh-Chirmiri-Bharatpur (C.G.)

... Non-Applicant

For Applicant	: Mr. Shakti Raj Sinha, Advocate
For Non-Applicant	: Mr. Aditya Tiwari, Panel Lawyer

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

01/04/2026

1. This is the fourth bail application. The first bail application was dismissed on merits vide order dated 08.05.2024 in M.Cr.C. NO. 3011/2024. The second bail application was dismissed as withdrawn vide order dated 12.12.2024 in M.Cr.C. No. 8733/2024 and the third bail application was also dismissed as withdrawn vide order dated 26.09.2025 in M.Cr.C. No. 7793/2025.
2. This first bail application is filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 265/2023 registered at Police Station – Chirmiri, District – Manendragarh – Chirmiri - Bharatpur,



Chhattisgarh for the offences punishable under Sections 420, 34 of the Indian Penal Code, 1860.

3. Case of prosecution is that, complainant Om Prakash Agrawal lodged a report in the concerned police station in the month of April, 2023 alleging that the applicant had committed cheating and forgery with him and his son and fraudulently got the amount deposited to the tune of Rs. 92,00,000/- (Ninety Two Lakh Rupees) on the assurance that he will provide Petrol Pump to them. However, even after deposit of the amount and lapse of sufficient time, when the Petrol Pump was not allotted in their name, they have requested the applicant to return their money. Upon which, the applicant submitted that the work of allotment of Petrol Pump is being looked and managed by one Ravi Chauhan. Applicant asked them to come to Indore where he was residing for discussion and providing them the relevant documents of the proceedings of the allotment of Petrol Pump.
4. Learned counsel for the applicant submits that applicant is innocent, he has been falsely implicated in the crime. He has not committed any offence as alleged. He submits that this bail application is filed on the ground of delay in trial. He contended that applicant is in jail since since 04.02.2024 and thereby, he has completed more than 02 years of the pre-trial detention. Three remaining witnesses are not turning up before the learned Trial Court. He also contended that the case is triable by Judicial Magistrate First Class and he can be impose sentence of upto maximum 3 years only. Applicant has already suffered two-third of the maximum jail sentence which can be imposed upon him by the learned Judicial Magistrate First Class. Therefore, he may be enlarged on bail,
5. On the other hand, learned State counsel submits that he is not disputing the factual submission made by the counsel for petitioner, however, he also submits that according to his instructions, only 03 witnesses are yet



to be examined out of 19 witnesses as 16 witnesses have already been examined.

6. I have heard learned counsel for the respective parties and perused the documents filed along with the bail application.
7. Taking into consideration, facts and circumstances of the case, nature of allegations, submission of learned counsel for the respective parties, material available in the charge-sheet, period of pre-trial detention suffered by the applicant of 02 years, documents enclosed along with the bail application, trial is likely to take sometime, without commenting anything on merits of the case, I am inclined to allow this application for grant of bail.
8. Accordingly, the bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is allowed and it is directed that applicant shall be released on bail upon his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of Trial Court concerned on the conditions that:

(a) The applicant shall file an undertaking to the effect that he 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.

(b) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(c) In case, the applicant misuses the liberty of bail during trial and in order to secure her presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(d) The applicant 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 applicant is deliberate 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 him in accordance with law.



9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith. Certified copy as per rules.

**Sd/-
(Parth Prateem Sahu)
Judge**

Dey