



2026:CGHC:12953



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2551 of 2026

Uttara Kumar Sahu S/o Ishwar Prasad Sahu Aged About 50 Years R/o Village Bilari, Tahsil Pamgarh, P.S. Shivrinarayan, District Janjgir-Champa Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station Shivrinarayan, District Janjgir-Champa Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Om P. Sahu, Advocate.

For Respondent(s) : Dr. Sourabh Kumar Pande, Dy. A.G.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

18/03/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 553/2025 registered at Police Station



Shivrinarayan, District Janjgir-Champa (C.G.) for the offence punishable under Sections 318(4), 3(5) of BNS.

2. The prosecution story, in brief, is that the complainant was informed by the applicant's father, namely Bhupendra Sahu (co-accused), that he is engaged in the business of sale and purchase of land and that his son (the present applicant) trades in the share market. It was further represented that if the complainant invested some amount, he would receive double the amount invested as returns. Thereafter, the complainant allegedly invested a total sum of Rs. 67,17,000/- through cash as well as online transactions and received a return of Rs. 15,00,000/-. However, as per the allegations, the accused persons refused to return the remaining amount to the complainant, and therefore the present FIR has been lodged against the applicant and other accused persons in Crime No. 553/2025, at Police Station Sheorinarayan, District Janjgir-Champa (C.G.), for offences punishable under Sections 318(4) and 3(5) of the Bharatiya Nyaya Sanhita (BNS). Thus, the present applicant is being prosecuted in the present case. Hence, the bail application.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that similarly situated co-accused, Hirendra Kumar Sahu has already been granted bail by this Court vide order dated 13.03.2026 in MCRC No.2393 of



2026. The applicant is in jail since 05.01.2026, the applicant has no criminal antecedent, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. He further submits that the applicant along with co-accused, allegedly induced the complainant to invest a substantial amount of Rs.67,17,000/- on the false promise of doubling the invested money through land dealings and share market activities, and thereafter dishonestly failed to return the remaining amount after making a partial payment of Rs.15,00,000/-, thereby committing cheating, therefore, the applicant is not entitled for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 05.01.2026, the fact that though the applicant in collusion with co-accused, allegedly induced the complainant to invest a substantial amount of Rs.67,17,000/- on the false promise of doubling the invested money through land dealings and share market activities, dishonestly failed to return the remaining amount after making a partial payment of Rs.15,00,000/-, but



considering the fact that similarly situated co-accused, Hirendra Kumar Sahu has already been granted bail by this Court vide order dated 13.03.2026 in MCRC No.2393 of 2026, further the applicant has no criminal antecedent and charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Uttara Kumar Sahu**, involved in Crime No. 553/2025 registered at Police Station Shivrinarayan, District Janjgir-Champa (C.G.) for the offence punishable under Sections 318(4), 3(5) of BNS, be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-
 - (i) 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.
 - (ii) 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.
 - (iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his 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.

(iv) 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 for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE