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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2564 of 2026**

Mahesh Kumar Sahu S/o Shail Kumar Sahu Aged About 38 Years R/o Ward No. 56, Amapara, Near Shitala Temple, Police Station Durg, District- Durg, Chhattisgarh

... Applicant**versus**

State Of Chhattisgarh Through Police Station Head Officer, Police Station Supela, Bhilai, District – Durg, Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Anshul Tiwari, Advocate.

For Non-applicant/State : Ms. Soumya Rai, Dy. Govt. Advocate.

For Objector : Mr. Parth Kumar Jha, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****18.03.2026**

1. The applicant has preferred this First Bail Application 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. 1401/2025, registered at Police Station – Supela, Bhilai, District – Durg (C.G.) for the offence punishable under Sections 318(2), 318(4), 61(2) and 111(4) of the BNS.
2. The case of the prosecution, is that the complainant namely Hirendra Nagdev submitted a written complaint before the S.H.O, Supela police station interalia on the allegation that, under the guise of promising at least 4% monthly interest on deposits in forex and currency trading, and double and one and a half times the return on deposits in lucky



draws, the accused Mahesh Kumar Sahu, Rahul Sharma, and Ruchi Kaushal defrauded him of 13 lakh, Girdhari Dewangan of 27 lakh, Shivshankar Patel of ₹6 lakh, and several lakhs of rupees from other investors, resulting in financial and mental harm. Based on the aforesaid complaint, an F.I.R was registered bearing no. 1401/2025 against applicant/accused Mahesh Kumar Sahu and other accused Rahul Sharma and Ruchi Kaushal under sections 318(2), 318(4), and 61(2) of the Indian Penal Code, and the matter was investigated. During the investigation, the applicant/accused was arrested. Section 111(4) of the BNS was also added in the case committing economic crime in an organized manner and after completion of the entire investigation, the charge-sheet was filed before the competent Court. Hence, this application.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there is no criminal antecedents registered against the present applicant. It is further submitted that the charge-sheet has been filed in this case. The applicant is in jail since 27.11.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel as well as learned counsel appearing for the Objector opposed the prayer made in the bail application and submits that the charge-sheet has been filed in this case, and the applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.



6. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there is no criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant, the applicant is in jail since 27.11.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.
7. Let applicant, **Mahesh Kumar Sahu**, involved in Crime No. 1401/2025, registered at Police Station – Supela, Bhilai, District – Durg (C.G.) for the offence punishable under Sections 318(2), 318(4), 61(2) and 111(4) of the 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



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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.

8. 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**

Rajshekhar