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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2708 of 2026

1 - Razaul Mustafa S/o Salim Rizvi, Aged About 23 Years R/o Ward No. 3, Kumharpara Ratanpur, Police Station Ratanpur, District- Bilaspur (Chhattisgarh)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Ratanpur, District- Bilaspur (Chhattisgarh)

... **Respondent(s)**

For Petitioner(s) : Ms. Madhunisha Singh, Advocate

For Respondent(s) : Ms. Anusha Naik, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.03.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.611/2025, registered at Police Station : Ratanpur, District- Bilaspur (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. The case of the prosecution, in brief, is that the complainant,



Nutan Tamboli, lodged a written complaint stating that he was acquainted with the accused persons, including the present applicant, and was induced by them in March 2023 to invest in a purportedly profitable business of forest medicinal herbs on the assurance of high returns and partnership. Relying upon such promises, the complainant and his brother transferred amounts partly in cash and partly through online transactions to the accounts of the accused persons, totaling Rs.18,03,300/- between 26.03.2023 and 05.03.2024. It is alleged that the accused persons neither returned the invested amount nor paid any profit and avoided the complainant on various pretexts. On these allegations of cheating and misappropriation, Crime No. 611/2025 has been registered at Police Station Ratanpur, District Bilaspur (C.G.) under Sections 420/34 of the Indian Penal Code, and the matter is under investigation. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case owing to personal and financial disputes between the parties, who were previously well acquainted and had prior monetary dealings. It is submitted that the applicant had merely borrowed a sum of Rs.7,000/- from the complainant about a year prior to the lodging of the FIR, which has already been repaid multiple times along with interest, however, the complainant, allegedly engaged in illegal money lending and charging exorbitant interest, continued to make unlawful demands and, upon refusal, lodged the present



false and exaggerated complaint. It is further submitted that the investigation itself reveals only a single transaction of Rs.7,000/- in the applicant's bank account, whereas the allegation of Rs.18,03,300/- is wholly baseless and unsupported by any documentary evidence such as agreements, partnership records, or communications. The applicant has been falsely roped in merely due to the alleged involvement of his brother, with whom he has had no contact for about a year. It is also submitted that the alleged offence is punishable up to seven years and thus warrants liberal consideration for bail. The charge-sheet has already been filed. The applicant, aged about 23 years, is in judicial custody since 25.09.2025 and there is no likelihood of his absconding or tampering with evidence. He undertakes to abide by all conditions imposed by this Hon'ble Court and to cooperate with the trial, therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, the learned State counsel vehemently opposed the bail application of the present applicant and submitted that the charge sheet has been submitted before the competent Court. She further submits that the complainant and his brother transferred amount to the account of the accused persons, totaling the sum of Rs.18,03,300/- between 26.03.2023 and 05.03.2024. It is alleged that the accused persons neither returned the invested amount nor paid any profit and avoided the complainant on various pretexts. Considering the gravity of the



economic offence, the breach of trust, and the material collected during investigation, it is prayed that the present applicant is not entitled to be granted regular bail in this case.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case that though the accused persons neither returned the invested amount of the complainant and his brother nor paid any profit to them, but also considering the fact that the applicant is languishing in jail since 25.09.2025, he is having only one previous criminal antecedents and the charge-sheet has been submitted before the competent Court and the conclusion of the trial may take some more time, therefore, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.
7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Razaul Mustafa**, involved in Crime No. 611/2025, registered at Police Station Ratanpur, District- Bilaspur (C.G.) for the offence punishable under Section 420/34 of the IPC, be released on bail on furnishing **personal bond** with **two local 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 misuse the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS is issued and the applicant fail 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



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default as abuse of liberty of bail and proceed
against him, in accordance with law.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Saxena