



2026:CGHC:25502
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2669 of 2026

Ashish Parihar S/o Banwarilal Aged About 27 Years R/o Derathoo Ajmer,
Rajasthan 305601

--- Applicant

versus

State of Chhattisgarh Through Police Station -Rakhi, District Raipur (C.G.)

--- Non-Applicant

MCRC No. 4788 of 2026

Utpal Panchariya S/o Mahesh Panchariya Aged About 21 Years R/o Meghwal
Basti, Pouta, C Road, Behind Akashwani, Jodhpur, Rajasthan

--- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Rakhi
District – Raipur, Chhattisgarh

--- Non-Applicant

MCRC No. 4177 of 2026

Bhawani Singh Rajput S/o Gopal Singh Aged About 23 Years R/o Baunt, P.S.
Pishangan, District- Ajmer (Rajasthan)

--- Applicant

Versus

State of Chhattisgarh Through P.S. Rakhi, District- Raipur (C.G.)

--- Non-Applicant

For Applicant (in MCRC No. 2669/2026) :	Mr. Arvind Shrivastava, Senior Advocate assisted by Mr. Anumesh Shrivastava, Advocate.
For Applicant (in MCRC No. 4177/2026) :	Mr. Sunil Otwani, Senior Advocate assisted by Mr. Hemant Tolani, Advocate.
For Applicant (in MCRC No. 4788/2026) :	Mr. Ahmed Ayaan Mirza, Advocate.
For Non-Applicant/State	: Mr. Nitansh Jaiswal, Dy. Government Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****22.06.2026**

1. Since the above-mentioned three bail applications arise out of same crime number, they are clubbed and heard together and are being disposed of by this common order.
2. These are the first bail applications filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail to the applicants who have been arrested in connection with Crime No. 224/2024 registered at Police Station - Rakhi, District-Raipur for the offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (in MCRC No. 2669/2026) and under Sections 318(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023 (in MCRC Nos. 4177/2026 and 4788/2026).
3. As per the prosecution case, in brief, is that on 20.07.2024, an unknown user on the Telegram platform allegedly lured the complainant, through various communications, with an offer of online work. It is further alleged by the complainant that between 23.07.2024 and 13.08.2024, an online fraud amounting to Rs. 24,12,871/- was committed through transactions involving the complainant's Bank of India account and his friend's HDFC Bank account. Thereafter, on receiving the said information, the police authorities registered the present FIR against the present applicants.
4. Learned respective counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. It is argued that the entire alleged amount has already been returned by the applicants. It is also submitted that an amicable settlement/compromise has been arrived at between the complainant and the accused persons. The complainant has voluntarily resolved the

dispute and no longer harbours any grievance against the present applicants. It is further submitted that the applicants have no previous criminal antecedents, the charge-sheet has already been filed, and they have been in judicial custody since 22.01.2026, 26.01.2026, and 04.02.2026, respectively. The conclusion of the trial is likely to take a considerable period of time. Therefore, learned counsel pray that the applicants be enlarged on bail.

5. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has already been filed before the competent Court. Learned State counsel further submits that, in compliance with the order dated 15.06.2026 passed by this Court, a personal affidavits have been filed placing on record the evidence collected during the course of investigation. It is submitted that the investigation has revealed that the accused/applicants had formed a criminal syndicate and were operating as part of an organized criminal network. The material collected during the investigation *prima-facie* demonstrates their criminal proclivities, association with organized gangs, and tendency to repeatedly indulge in criminal activities. It is further submitted that, if released on bail, the applicants may again engage in similar criminal activities and may adversely affect the trial. Therefore, the applicants are not entitled to the grant of bail.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, nature and gravity of the offence, allegations levelled against the applicants and the fact that the entire alleged amount has already been returned by the applicants, and the amicable settlement arrived at between the parties, further the applicants have no previous criminal antecedents, the

charge-sheet has been filed and they are in jail since 22.01.2026, 26.01.2026 and 04.02.2026, respectively, this Court is of the view that the applicants are entitled to be released on bail in this case.

8. Accordingly, the bail application is **allowed**. Let the applicants - **Ashish Parihar** (in MCRC No. 2669/2026), **Utpal Panchariya** (in MCRC No. 4788/2026), **Bhawani Singh Rajput** (in MCRC No.4177/2026) involved in Crime No. 224/2024 registered at Police Station - Rakhi, District- Raipur for the offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (in MCRC No. 2669/2026) and under Sections 318(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023(in MCRC Nos. 4177/2026 and 4788/2026), be released on bail on their furnishing a **personal bond** with **two sureties each** and **two local sureties each** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicants shall file an undertaking to the effect that they 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 applicants shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of their absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicants misuse the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS. is issued and

the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicants 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 applicants are 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 them in accordance with law.

- 9.** Office is directed to send a copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Abhishek