



2026:CGHC:15093



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 2918 of 2026**

Dileep Golcha S/o Shri Sheshmal Aged About 49 Years R/o House No. 102, B-Block, Arihant Heights, Khandelwar Colony, Durg, District : Durg, Chhattisgarh

... Applicant(s)**versus**

1 - State Of Chhattisgarh Through District Magistrate, Rajnandgaon, District : Rajnandgaon, Chhattisgarh

2 - Station House Officer Police Station- Somni, Rajnandgaon, District : Rajnandgaon, Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Avinash Chand Sahu, Advocate appeared through video conferencing.

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

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****01/04/2026**

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. 08/2026 registered at Police Station Somni, Rajnandgaon, District : Rajnandgaon (C.G.) for the offence punishable under Sections 316(4), 318(4), 338, 336(3), 340(2), 3(5) of BNS.

2. Case of the prosecution, in brief, is that a complaint was lodged by the Managing Coordinator of New Look Bio Fuels Pvt. Ltd., Phuljhar, stating that the accused Dilip Golchha, who was appointed as a broker for procurement of raw materials (broken/damaged rice), in connivance with his son Ayush Golchha and the company's accountant Amit Kumar Gupta, committed fraud by preparing fake and duplicate bills. It is alleged that they established a firm named "Jai Mahavir Agro" and, through this firm and other associated firms, generated forged bills and manipulated original invoices. By doing so, they dishonestly withdrew and misappropriated company funds. During investigation, it was found that the accused tampered with main bills and committed fraud amounting to Rs.22,79,258/- and also attempted to fraudulently withdraw an additional Rs.21,36,790/- through forged bills. Thus, the accused persons, in conspiracy, committed financial fraud by forgery, bill manipulation, and misappropriation of company funds. 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 the applicant is merely



a commission agent/broker whose role was limited to introducing the complainant company to rice millers for procurement of raw materials, while all purchases and payments were made directly by the company, and he had no involvement in bill preparation or disbursement of payments. He also submits that the memorandum statement of the main accused, Amit Kumar, indicates that the alleged fraud was committed with the help of other employees, but no such employees have been investigated or arraigned as accused by the police. Additionally, despite serious allegations of financial fraud, the prosecution has failed to produce any evidence showing that any amount was credited to the applicant's bank account, and there is no financial trail to establish any wrongful gain on his part. The applicant is in jail since 15.01.2026, 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. She further submits that the applicant being a broker, acted in conspiracy with co-accused persons and facilitated preparation of fake and duplicate bills through a firm, thereby participating in manipulation of invoices and misappropriation of company funds, resulting in financial fraud of Rs.22,79,258/-, 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 15.01.2026, the fact that though the the applicant being a broker, acted in conspiracy with co-accused persons and facilitated preparation of fake and duplicate bills through a firm, thereby participating in manipulation of invoices and misappropriation of company funds, resulting in financial fraud, but considering the fact that the applicant has no criminal antecedent and charge-sheet has been filed in the present case, 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-**Dileep Golcha**, involved in Crime No. 08/2026 registered at Police Station Somni, Rajnandgaon, District : Rajnandgaon (C.G.) for the offence punishable under Sections 316(4), 318(4), 338, 336(3), 340(2), 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