



2026:CGHC:16892



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3309 of 2026

Amit Kumar Gupta S/o Shri Kaushal Prasad Gupta Aged About 34 Years R/o Flat No. 503, Gokul Tower, Gogaon, Police Station - Gundiari, District - Raipur Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station - Somni, District Rajnandgaon Chhattisgarh

... Respondent(s)

For Applicant(s) : Ms. Deeksha Jaiswal, Advocate.

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

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

13/04/2026

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 on the basis of a written



complaint submitted by Surya Shekhar Tiwari, Managing Coordinator of New Look Bio Fuels Pvt. Ltd., Crime No. 08/2026 was registered at Police Station Somni, District Rajnandgaon against the present applicant Amit Kumar Gupta and other co-accused persons for offences under relevant provisions of the Bharatiya Nyaya Sanhita. It is alleged that the company, engaged in procurement of broken rice through brokers, had appointed co-accused Dileep Golcha, who, in connivance with certain employees including the present applicant, prepared forged and duplicate bills in the names of various firms, thereby causing financial loss to the company. During the period from 03.11.2025 to 13.01.2026, substantial amounts were allegedly withdrawn fraudulently without actual supply of goods. However, statements of independent witnesses, including several rice mill owners, indicate that goods were supplied through broker Dileep Golcha and payments were received only against genuine transactions, with some witnesses specifically denying issuance of any duplicate bills. Thus, as per the prosecution material itself, the alleged transactions were primarily handled by co-accused Dileep Golcha and his firms, and the role attributed to the present applicant is confined to processing entries and documentation in his capacity as Accounts Manager. 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. She further submits that one of the identically



situated co-accused, namely, Dileep Golcha has already been granted bail by this Court vide order dated 01.04.2026 passed in MCRC No.2918 of 2026. She also submits that no recovery of any incriminating materials has been made from the possession of present applicant. The applicant is in jail since 14.01.2026, the applicant has no criminal antecedent, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, she 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 is alleged to be an Accounts Manager who, in connivance with co-accused persons, facilitated preparation and processing of forged and duplicate bills in the names of various firms, thereby aiding in fraudulent withdrawal of company funds without actual supply of goods and causing financial loss to the company. She also submits that the case of present applicant is distinguished from the case of co-accused as the co-accused, Dileep Golcha was not named in the FIR, where as present applicant is named in the FIR, 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 14.01.2026, the fact that though the applicant allegedly being an Accounts Manager who, in connivance with co-accused persons, facilitated preparation and processing of forged and duplicate bills in the names of various firms, thereby aiding in fraudulent withdrawal of company funds without actual supply of goods and causing financial loss to the company, but considering the fact that the co-accused, namely, Dileep Golcha has already been granted bail by this Court vide order dated 01.04.2026 passed in MCRC No.2918 of 2026 and the fact that the applicant has no criminal antecedent, further the charge-sheet has been filed in the present case, as such, 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-**Amit Kumar Gupta**, 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