



2026:CGHC:22664

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3435 of 2026**

- Rahul Kumar S/o. Radhey Shyam Aged About 31 Years R/o. Village Ekhu, Tahsil Math, Police Sation Nohjhil, Mathura Surir (U.P.)

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

- State of Chhattisgarh Through- The Station House Officer, Police Of Police Station Kirandul, District- Dantewada (C.G.)

... Respondent(s)**(Cause title is taken from Case Information System)**

For Applicant(s) : Mr. Devesh Chandra Verma, Advocate

For Respondent(s) : Mr. Soumya Rai, Dy.G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****13/05/2026**

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.28/2025 registered at Police Station Kirandul, District Dantewada, (C.G.) for the offence punishable under Sections 318(4), 111(3) of Bhartiya Nyay Sanhita and Section 66(D) of Information Technology Act.
2. Case of the prosecution, in brief, is that, complainant P. Prasad has

lodge a complaint to the effect that on 30.05.2025 at around 07.45pm in evening he received a WhatsApp call on his mobile number "9425591809" from an unknown mobile number "7681080552" after receiving call he was threatened on the pretext that, "there is a bank account on complainant's name in which illegal transaction has been made and against that account the Mumbai Police has registered a Criminal case under Money Laundering Act and to settle the said case the complainant was asked to transfer Rs.28 Lacs to another mobile number bearing "7609813145" since complainant being frightened and under impression of fear the Complainant on 31/05/2025 transferred total Rs.28 Lacs on 31.05.2025 from his account No. 10727605327 into the account number i.e. "257409612092" as mentioned by the unknown caller bearing IFSC Code INDB0001455 in two transactions of Rs. 21 lacs and Rs. 07 lacs, since Complainant was in suspicion of fraud, he reported the said incident to the Police officials of the Police Station Kirandul and accordingly offences under 318(4), 111(3) of Bhartiya Nyay Sanhita 2023 and Section 66(D) Of Information Technology Act, 2000 have been registered against unknown persons sons and during the course of investigation, the present applicant and other co-accused persons have been arrested.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in offence in question. The applicant is in jail since 28.11.2025. The charge-sheet has been filed and no further investigation is required, however, conclusion of the trial is likely to take some time. He further submitted that co-accused persons namely Suraj Chauhan, Aftab Sama, Pariya Ajay and Kishan Wadar have already been

granted bail by this Court in M.Cr.C. No. 6388 of 2025, M.Cr.C. No.7693 of 2025, M.Cr.C. No.7695 of 2025 and M.Cr.C. No.7694 of 2025 vide order dated 10.10.2025. A copy of the same is annexed herewith as Annexure-A/5, as such, on the ground of parity, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel appearing for the respondent/State opposes the bail application and submits that applicant is residence of the State of Uttar Pradesh and he could not dispute the fact that co-accused persons namely Suraj Chauhan, Aftab Sama, Pariya Ajay and Kishan Wadar have already been granted bail by this Court in M.Cr.C. No. 6388 of 2025, M.Cr.C. No.7693 of 2025, M.Cr.C. No.7695 of 2025 and M.Cr.C. No.7694 of 2025 vide order dated 10.10.2025.
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, the fact that the conclusion of the trial may take some time and further that co-accused persons namely Suraj Chauhan, Aftab Sama, Pariya Ajay and Kishan Wadar have already been granted bail by this Court in M.Cr.C. No. 6388 of 2025, M.Cr.C. No.7693 of 2025, M.Cr.C. No.7695 of 2025 and M.Cr.C. No.7694 of 2025 vide order dated 10.10.2025, this Court is of the view that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Let the Applicant- **Rahul Kumar**, involved in Crime No.28/2025 registered at Police Station Kirandul, District Dantewada, (C.G.) for the offence punishable under Sections 318(4), 111(3) of Bhartiya Nyay Sanhita and Section 66(D) of Information Technology Act, be

released on bail on their furnishing a **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 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.

8. 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

Vaishali