



2026:CGHC:18759
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRCA No. 592 of 2026

1 - Ramkali W/o Ramesh Bada Aged About 47 Years R/o Petla Police Station And Tehsil Sitapur, District- Sarguja (C.G.)

2 - Jhuniya W/o Inder Sai Aged About 50 Years R/o Petla Police Station And Tehsil Sitapur, District- Sarguja (C.G.) (Wrongly Mentioned Muniya In Impugned Order And F.I.R.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Police Station Sitapur, District- Sarguja (C.G.)

... Respondent(s)

For Petitioner(s) : Mr. Rishabh Gupta, Advocate

For Respondent(s) : Mr. Nitansh Jaiswal, Dy. G.A.

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

23.04.2026

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicants, who are apprehending their arrest in connection with Crime No. 102/2026 registered at Police Station – Sitapur District Sarguja (C.G.) for the offence punishable under Section 316(5) BNS, 2023 and Sections 3 & 7 of Essential Commodities Act, 1955.
2. As per the prosecution case, a complaint was lodged by the

Assistant Food Officer, Sitapur, alleging that during a physical verification conducted on 03.10.2024 of food grain stocks at a government-authorized Fair Price Shop bearing I.D. No. 392003027 at Petla, which was being operated by the applicants committee, a substantial discrepancy was detected between the online stock records and the actual physical inventory. It is alleged that there was a shortage of 335.17 quintals of rice and 3.08 quintals of chana (chickpeas). Pursuant thereto, notices were issued to the applicant committee seeking an explanation for the said shortage; however, no satisfactory justification was furnished. Consequently, it was concluded that the food grains had been illegally diverted, leading to the registration of the present FIR against the President, Secretary, and Seller of the said Fair Price Shop. Hence this anticipatory bail application.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present case, with no direct or specific role attributed to them in the alleged offence. It is contended that even the complainant has failed to clearly disclose or substantiate the involvement of the present applicants in the purported irregularities. It is further urged that no enquiry was conducted in the presence of the applicants, thereby vitiating the fairness of the proceedings. Counsel additionally points out that the alleged shortage pertains to September, 2024, whereas the enquiry report was prepared belatedly in the year 2026, casting serious doubt on its credibility. It is also submitted

that the Fair Price Shop in question had already been handed over to another Self Help Group from October, 2024, and therefore, the applicants cannot be held responsible for the alleged discrepancies. It is also contended that there are no previous antecedents against the applicants and they are ready and willing to comply with any of the conditions which may be imposed upon him and the applicants be released on bail.

4. On the other hand, learned State counsel opposes the bail application and submits that the applicants are not entitled for grant of anticipatory bail in this case.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstance of the case, this Court is of the considered opinion that, at this stage, the allegations primarily relate to discrepancy in stock of food grains, and the specific role attributed to the present applicants does not appear to be clearly delineated. It is also noted that the alleged shortage pertains to the year 2024, whereas the enquiry report has been submitted in the year 2026 which is a matter of trial, and further that the Fair Price Shop had already been handed over to another Self Help Group from October, 2024. The applicants are stated to have no criminal antecedents and have expressed their willingness to cooperate with the investigation. Therefore, without commenting on the merits of the case, this Court is inclined to

allow this anticipatory bail application.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Ramkali and Jhuniya** on executing a personal bond with one surety each in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) The Applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such fact to the Court.

(b) The Applicants shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) The Applicants shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(d) The Applicants and the surety shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The Applicants shall not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Saxena