



2026:CGHC:17867



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3491 of 2026

Rajesh Singh S/o Girdhabal Singh Aged About 40 Years R/o Village
Simar Tahsil Oraiya Distt. Oraiya Uttar Pradesh

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station -
Balod, Distt. Balod Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Amit Kumar, Advocate.

For Respondent(s) : Mr. Saumya Rai, Deputy Government
Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

20/04/2026

1. This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 319/2016 registered at Police Station Balod, Distt. Balod (C.G.) for the offence punishable under Sections 420, 467, 468,



471, 406/34 of IPC and Sections 3, 4 and 5 of Inami Chit-Fund & Prize Money Circulation (Prohibition) Act, Section 10 of Protection of Depositors Interest Act.

2. Case of the prosecution, in brief, is that the complainant, namely Ashok Kumar Sahu, lodged a written report at the concerned Police Station on 24.07.2016 stating that in the year 2014 he was allured by an agent of Divyani Properties with a promise of doubling his invested amount. Acting upon such assurance, the complainant deposited a sum of Rs. 9,00,000/- with the company, for which certain bond papers were issued to him. However, when the complainant later demanded the return of his money, the directors of the company, namely Rajesh Ramesh Singh, Rajkumar, Dhruv Kumar, Choudhary, and Vipin Singh, refused to repay the same. Thereby, an FIR was registered against the accused persons for aforesaid offence, and the applicant was arrested, hence, the bail application.
3. Learned counsel for the applicant submits that the first bail application of the applicant was rejected by this Court vide order dated 09.12.2025 passed in MCRC No.9009 of 2025, thereafter, the applicant preferred present second bail application on the ground that the applicant is languishing in jail since 28.09.2025, there are total 100 witnesses in the present case, out of which, the statement of only 03 witnesses have been recorded, hence, the conclusion of trial is likely to take long time, therefore, he



prays for grant of bail. So far as criminal antecedent of the applicant is concerned, applicant has one criminal antecedent of the year 2015 in which he has been granted bail by this Court in MCRC No.9623 of 2025.

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. He further submits that there are total 100 witnesses in the present case and the applicant is alleged to have being associated with Divyani Properties, induced the complainant to invest a sum of Rs. 9,00,000/- on the false promise of doubling the amount, and thereafter, along with other co-accused persons, failed to return the said amount, thereby committing cheating, criminal breach of trust, and forgery, further the applicant has one criminal antecedent of the year 2015. 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. From perusal of the records, it transpires that this is the second bail application of the applicant and first bail application of the applicant was rejected by this Court vide order dated 09.12.2025 in MCRC No. 9009 of 2025 on the ground that the applicant had absconded and was arrested on 28.09.2025, but considering the fact that there are total 100 witnesses in the present case, out of which, the statement of only 03 witnesses have been recorded till



date, therefore the conclusion of trial is likely to take long time, so far as criminal antecedent of the applicant is concerned, the applicant has only 01 criminal antecedent, in which, he has been granted bail by this Court in MCRC No.9623 of 2025, 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-**Rajesh Singh**, involved in Crime No. 319/2016 registered at Police Station Balod, Distt. Balod (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 406/34 of IPC and Sections 3, 4 and 5 of Inami Chit-Fund & Prize Money Circulation (Prohibition) Act, Section 10 of Protection of Depositors Interest Act, be released on bail on his furnishing a **personal bond** with **two heavy 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

Akhil