



2026:CGHC:18478



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 3558 of 2026**

- Nirbhay Sahu S/o Bhenuram Sahu, Aged About 43 Years R/o Hig P.R.E.B. 399 Through Anish Saxena, Atal Nagar, Nava Raipur (C.G.)

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

- State of Chhattisgarh Through P.S. Eow/ Acb Raipur, District- Raipur (C.G.)

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

For Applicant(s) : Mr. Vikas Pandey, Advocate

For Respondent(s) : Mr. Sourabh Kumar Pande, Dy.A.G.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****22.04.2026**

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. 30/2025 registered at Police Station- ACB/EOW Raipur, Tehsil - Raipur, District - Raipur, (C.G.) for the offence punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, and Section 7(C) of Prevention of Corruption Act. 1988.
2. Case of the prosecution, in brief, is that the applicant is alleged to have misused his office position and entered into a criminal



conspiracy, they given compensation to other person, under project Bharat Mala, which is for Raipur to Vishakapatnam, proposed economy corridor, compensation already given to land owner in earlier, the action is bad is wrong, the action is to give compensation by selling the acquired land back to the government and they give compensation wrongly to Smt. Uma Tiwari and other person, they fraud with government the First Information Report lodged by the concerned Police Station, against the present applicant and other co-accused person.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any act. He also submits that no recovery of the any nature whatsoever is pending from the possession of the present applicant. He further submits that similarly situated co-accused persons, namely, Smt. Basanti Dhritlahrey, Dinesh Patel and Lekh Ram Dewangan, Vijay Kumar, Harmeet Singh, Kedar Tiwari, and Uma Tiwari have already been granted bail by this Court vide orders dated 02.01.2026, 13.01.2026, 29.01.2026 and 17.07.2025 in MCRC Nos. 10451/2025, 387/2026, 950/2026, 4823/2025, 4994/2025, 5419/2025, and 5280/2025 respectively. He also submits that the applicant has no previous criminal antecedents and he is in jail since 17.03.2026, the 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 on the ground of parity.
4. On the other hand, learned counsel for the State opposes the bail application of the applicant and submits that the charge-sheet has been filed before the competent Court, but could not dispute the fact that co-accused persons have already been granted regular bail by



this Court and the case of the present applicant is identical to that of the co-accused.

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, the fact that though the present applicant and other co-accused persons were involve in the said crime, but other co-accused persons, namely, Smt. Basanti Dhritlahrey, Dinesh Patel, Lekh Ram Dewangan, Vijay Kumar, Harmeet Singh, Kedar Tiwari, and Uma Tiwari have already been granted bail by this Court vide orders dated 02.01.2026, 13.01.2026, 29.01.2026 and 17.07.2025 in MCRC Nos. 10451/2025, 387/2026, 950/2026, 4823/2025, 4994/2025, 5419/2025, and 5280/2025 respectively, and the case of present applicant is identical to that of the co-accused persons, further the charge-sheet has been filed in the present case, the present applicant has no previous criminal antecedents and he is jail since 17.03.2026, the conclusion of the trial will take some more time, therefore, this Court is of the considered view that the applicant is entitled to be released on bail in this case on the ground of parity.
7. Accordingly, the bail application of the applicant is **allowed**. Let the Applicant – **Nirbhay Sahu**, involved in Crime No. 30/2025 registered at Police Station- ACB/EOW Raipur, Tehsil - Raipur, District - Raipur, (C.G.) for the offence punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, and Section 7(C) of Prevention of Corruption Act. 1988, be released on bail on furnishing **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.



8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Vaishali