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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 3718 of 2026

Rupesh Sahu S/o Dwarika Prasad Sahu Aged About 29 Years R/o Village Mahakam Chowki, Tehsil- Sonakhan, P.S. Kasdol, District- Balodabazar-Bhatapara Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Police Station Kasdol, District – Balodabazar-Bhatapara, Chhattisgarh.

---- Non-applicant

For Applicant	: Mr. Kamlesh Patel, Advocate.
For Non-applicant/State	: Dr. Sourabh K. Pande, Dy. Adv. General.

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

24.04.2026

1. The applicant has preferred this **Second Bail Application** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 433/2025, registered at Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 420, 409, 418 and 34 of the IPC and Section 111 of the BNS.
2. Earlier the first bail application of the co-accused is rejected by this Court vide order dated 09.12.2025 passed in MCRC No. 8626/2026 on merits.
3. The case of the prosecution, is that on 26.02.2025, the complainant, Chhedilal Sahu, lodged a First Information Report (FIR) stating that he is a resident of Village Darra and is engaged in agricultural as well as construction work. It is alleged that Ramnarayan Sahu, Anita Sahu,



Gulshan Sahu, Kusum Rani Sahu, Tuleshwar Prasad, and Shashi Kiran Sahu, all residents within the jurisdiction of Police Station Kasdol, represented to the complainant that they were engaged in share market activities and possessed considerable expertise therein. On the basis of such representations, they allegedly induced and allured the complainant to invest money with a promise that the invested amount would be doubled within a period of two years. Acting upon such inducement, the complainant allegedly paid a total sum of 39,10,000/- to the aforesaid persons, who thereafter cheated him. On the basis of the aforesaid complaint, the police registered the case and commenced investigation, during which memorandum statements of the accused persons were recorded. During the course of investigation, the name of the present applicant surfaced in the memorandum statements of the co-accused persons, pursuant to which he was subsequently arrayed as an accused in the present case and was arrested. Hence, this application.

4. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and there are a total of 2 criminal antecedents of the applicant. It is further submitted that the charge-sheet has been filed in this case, and the co-accused persons have been granted bail by this Court vide order dated 13.03.2026 passed in MCRC No.796/2026. The applicant is in jail since 12.08.2025 and trial is likely to take quite long time for its conclusion, therefore, he prays for grant of bail.
5. On the other hand, the learned State counsel opposes the bail application and submits that there are a total of 2 criminal antecedents



of the applicant, the charge-sheet has been filed in this case, and the applicant is not entitled for grant of bail, but could not dispute the fact that the co-accused have been granted bail and the case of the applicant is identical to that of the co-accused.

6. I have heard learned counsel for the parties and perused all of the documents available on record.
7. Taking into consideration the facts and circumstances of the case, nature and gravity of allegation levelled against the applicant and the fact that there are a total of 2 criminal antecedents of the applicant, charge-sheet has been filed against the applicant, and though the first bail application of the co-accused is rejected by this Court vide order dated 09.12.2025 passed in MCRC No. 8626/2026 on merits, but the co-accused person has been granted bail by this Court vide order dated 13.03.2026 passed in MCRC No.796/2026, the applicant is in jail since 12.08.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application, on the ground of parity.
8. Let applicant, **Rupesh Sahu**, involved in Crime No. 433/2025, registered at Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 420, 409, 418 and 34 of the IPC and Section 111 of the 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.



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(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 concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rajshekhar