



2026:CGHC:21196

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 680 of 2026

Padam (Padamchand Bhansali) S/o Late Vinod Jain, Aged About 37
Years R/o Boral P.S. Boral Tehsil Nagari -District -Dhamtari,c.G.

... Applicant

versus

State Of Chhattisgarh Through -P.S. Boral District-Dhamtari C.G.

... Non-applicant

For Applicant : Mr. Rajesh Jain, Advocate

For Non-applicant : Mr. Priyank Rathj, G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.05.2026

1. This Second Anticipatory Bail application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.06/2026 registered at Police Station Borari, District – Dhamtari, (C.G.) for the offence punishable under Sections 318(4), 338, 339, 340 of B.N.S.



2. The First Bail application filed by the applicant was dismissed as withdrawn vide order dated **15.04.2026** in **MCRCA No.362/ 2026.**
3. That the prosecution story, in brief, is that the applicant is the proprietor of Roshan Traders, registered with Krishi Upaj Mandi Samiti, Nagari, District Dhamtari (C.G.). It is alleged that during an inspection conducted by the SDO, Nagari on 07.01.2026, it was found that the applicant had sold 7121 quintals of paddy on the basis of 51 permits whereas he was authorized to sell only 6949 quintals of paddy under the said permits. It is further alleged that excess sale of 172 quintals of paddy was reflected in the stock register for the period from 15.11.2025 to 04.01.2026. During inquiry of the Mandi Portal, corrections were allegedly found in 12 permits, and it was alleged that 2520 quintals of paddy were sold without payment of Mandi. Accordingly, it was alleged that the applicant caused loss of Rs.1,42,560/- towards unpaid Mandi and thereby committed the alleged offence.
4. Learned counsel for the applicant submits that the earlier anticipatory bail application was dismissed as withdrawn



and not on merits, therefore, the present second application is maintainable. It is further submitted that the applicant is a registered wholesale businessman and no forged permit or fabricated document has been seized from his possession. Counsel submits that the dispute pertains to alleged irregularities under the Chhattisgarh Krishi Upaj Mandi Adhiniyam, for which the statute itself provides a mechanism for penalty and composition, and the applicant has already deposited all dues and obtained a no due certificate from the Mandi Samiti. It is also submitted that the offences are triable by the Magistrate, the applicant has no criminal antecedents, and custodial interrogation is not required. The applicant is a reputed businessman and is ready to cooperate with the investigation and abide by all conditions imposed by this Court. Hence, he is enlarged on bail.

5. Per contra, learned State counsel opposes the anticipatory bail application and submits that the applicant has been rightly implicated on the basis of material collected during investigation. It is further submitted that during inspection and inquiry, serious irregularities were found in the permits



and stock records maintained by the applicant, causing loss of Mandi to the Government. The State further submits that charge-sheet has already been filed and one previous criminal antecedents and sufficient prima facie evidence is available against the applicant regarding unauthorized sale of paddy and manipulation in Mandi records. Considering the nature and gravity of the allegations, it is submitted that the applicant is not entitled to the benefit of anticipatory bail.

6. I have heard learned counsel for the parties and perused the document appended thereto.
7. Considering the facts and circumstances of the case, particularly the fact that the allegations against the applicant arise out of alleged irregularities in business transactions governed by the provisions of the Chhattisgarh Krishi Upaj Mandi Adhiniyam, this Court is of the view that custodial interrogation of the applicant is not necessary. It is also noticed that the applicant has already deposited the alleged dues before the Krishi Upaj Mandi Samiti and a no due certificate has been issued in his favour. Further, the offences are triable by the Magistrate,



charge-sheet has already been filed, and the applicant has one previous criminal antecedents. Accordingly, without expressing any opinion on the merits of the case, this Court is inclined to **allow** the application and grant anticipatory bail to the applicant.

8. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Padam (Padamchand Bhansali)**, on executing a personal bond with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Arpan