



2026:CGHC:21455



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HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRCA No. 691 of 2026

Avinash Awasthi S/o Shiv Kumar Awasthi Aged About 55 Years R/o
 Petamara, Police Station - Tumla, Tahsil Farsabahar And District Jashpur
 Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through The S.H.O. Of The Police Station Tumla,
 District Jashpur Chhattisgarh

... Non-applicant

For Applicant	: Mr. Manoj Paranjpe, learned Senior Advocate appears along with Mr. Devendra Patel, Advocate
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For Non-applicant/State	: Mr. Saumya Rai, Dy. G.A.
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Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

07/05/2026

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.01/2026 registered at Police Station – Tumla, District- Jashpur (C.G.) for the offence punishable under Sections 318 (4), 320, 336, 338, 61 of BNS, 2023.
2. That, in brief, the prosecution case is that on 02.01.2026, complainant Ramkumar Yadav, from Chhattisgarh State Cooperative Bank



Limited, Nodal Office, Jashpur, lodged a written complaint at Police Station Tumla alleging irregularities in procurement and storage of paddy at Adim Jati Seva Sahkari Samiti Maryadit, Konpara, during Kharif Marketing Year 2024-25 by the accused persons including the present applicant. As per online records, 1,61,250.00 quintals of paddy was procured, out of which 20,586.88 quintals remained pending for delivery; however, during physical verification, the said quantity was found missing from the procurement centre. It is alleged that despite issuance of show cause notices, the concerned officials failed to furnish satisfactory explanation regarding the shortage, thereby causing financial loss of Rs.6,55,26,979.40 to the Government. During investigation, memorandum statement of co-accused Shishupal Yadav was recorded, wherein he allegedly admitted his involvement in the offence. Consequently, Crime No.01/2026 was registered at Police Station Tumla for offences punishable under Sections 318(4), 320, 336, 338 and 61 of the Bharatiya Nyaya Sanhita, and after completion of investigation, charge-sheet has been filed against the accused persons.

3. That the applicant is innocent and has been falsely implicated in the present case, as the entire prosecution story is false and not supported by any specific material against him. It is submitted that the applicant was only discharging duties under the Fud In-charge for management of the paddy procurement centre and was not involved in any alleged conspiracy or creation of shortage of paddy or financial loss to the Government. It is further submitted that the co-accused, including the Manager of Adim Jati Seva Sahkari Samiti, has already been granted bail by this Hon'ble Court



vide order dated **28.04.2026** in **MCRC No. 2691/2026**, and therefore the applicant is entitled to the benefit of parity. It is also submitted that the anticipatory bail of the said co-accused was earlier rejected by this Hon'ble Court and thereafter and the matter was taken on record on 04.05.2026. Hence he deserves to be enlarged on bail on the ground of parity.

4. Per contra, learned State counsel opposes the bail application and submits that the allegations against the applicant are serious in nature involving misappropriation and causing financial loss to the Government in the paddy procurement process. It is further submitted that the investigation has revealed prima facie involvement of the applicant along with other co-accused persons and the charge-sheet has been filed. It is also submitted that the benefit of parity cannot be extended mechanically without examining the individual role of each accused. Hence, it is prayed that the bail application be rejected.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the rival submissions, the nature of allegations, material available on record and the fact that the charge-sheet has already been filed, it appears that the case of the applicant stands on similar footing as that of the co-accused who has already been granted bail by this Court vide order dated **28.04.2026** in **MCRC No. 2691/2026**. It is also noticed that the applicant has no criminal antecedents and custodial interrogation is not required at this stage. In view of the principle of parity and considering the overall facts and circumstances of the case, I am inclined to **allow** the application.



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

(a) The applicant 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 him from disclosing such fact to the Court.

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

(c) The applicant 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 applicant and the surety shall submit a copy of their adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The applicant shall not involve himself in any offence of similar nature in future.

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)

Arpan