



2026:CGHC:24065



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4771 of 2026**

Kunjai Om Prakash Sharma S/o Shri Om Prakash Sharma Aged About 39 Years R/o Room No. 1, Saraswati Niwas, Dutta Mandir Road, Malad (East), Mumbai

... Applicant**versus**

State of Chhattisgarh Through Additional Superintendent of Police, Economic Offence Wing/anti Corruption Bureau, District- Raipur, Chhattisgarh

... Non-Applicant

For Applicant : Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Rishabh Garg, Advocate.

For Non-Applicant/State : Mr. Saumya Rai, Deputy Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****16.06.2026**

1. This is the first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.05/2025 registered at Police Station - EOW/ACB, District - Raipur (C.G.) for the offence punishable under Sections 409, 467, 468, 471, 120-B of Indian Penal Code and Sections 13(1)(a) r/w 13(2) and 7(c) of the Prevention of Corruption Act, 1988.
2. The case of the prosecution, in brief, is that under the "Hamar Lab" Scheme (at the District Level and Community Health Centre Level), the Public Health and Family Welfare Department directed the procurement of



necessary equipment, machines, and other related items through C.G. Medical Services Corporation Ltd. (CGMSCL). The allegations are that the Director of Health Services, CGMSCL, and its officers, without properly evaluating the budgetary requirements and actual demand, placed orders for equipment, machines, and other items in disproportionate quantities. It is further alleged that the concerned officers, in connivance with various companies, including Mokshit Corporation, improperly and dishonestly discharged their public duties by procuring such items at rates substantially higher than their actual market value, with the intention of conferring undue profit upon the companies concerned. As a result of the aforesaid transactions, a loss of approximately Rs.411 crores is alleged to have been caused to the State Government. As per the prosecution, the specific allegation against the present applicant is that, in his capacity as Marketing Head of Diasys Diagnostics India Private Limited, he transmitted an MRP letter from the official email ID of Diasys Diagnostics India Private Limited to the official email ID of the Equipment Branch of CGMSCL. It is alleged that, on the basis of the said letter, reagents and consumables were procured at inflated rates. It is further alleged that the applicant arranged demonstrations of certain models of Fully Automated Biochemistry Analyzer machines during the technical evaluation stage of the tender process, thereby allegedly assisting Mokshit Corporation in satisfying the prescribed eligibility criteria.

- 3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is argued that two other co-accused persons, namely Shashank Chopda and Kamal Kant Patanwar have already been granted bail by the Hon'ble Supreme Court vide order dated 17.04.2026 in SLP (Crl.) No. 3295/2026 and 5375/2026 and Basant



Kumar Kaushik and Deepak Bandhe have already been granted bail by the Hon'ble Supreme Court vide order dated 05.05.2026 in SLP (Crl.) No. 4542/2026 and SLP (Crl.) No. 5381/2026, respectively, another co-accused persons, namely, Shubham Barmecha has been granted anticipatory bail by this Court vide order dated 12.05.2026 passed in MCRCA No. 723/2026 and Dr. Anil Parsai, Rakesh Jain and Abhishek Kaushal have been granted regular bail by this Court vide order dated 12.05.2026, 14.05.2026 and 14.05.2026, respectively, further the applicant has no previous criminal antecedents, the charge-sheet has been filed in the present case, and the applicant has been in jail since 21.01.2026. As the conclusion of the trial is likely to take considerable time, the applicant seeks regular bail on the ground of parity.

4. Learned counsel for the State/non-applicant opposes the bail application and submits that the charge-sheet has been filed in the present case but could not dispute the fact that identically situated other co-accused persons have already been granted bail by the Hon'ble Supreme Court and by this Court.
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 allegation levelled against the applicant and the fact that the two other co-accused persons, namely Shashank Chopda and Kamal Kant Patanwar have already been granted bail by the Hon'ble Supreme Court vide order dated 17.04.2026 in SLP (Crl.) No. 3295/2026 and 5375/2026 and Basant Kumar Kaushik and Deepak Bandhe have already been granted bail by the Hon'ble Supreme Court vide order dated 05.05.2026 in SLP (Crl.) No. 4542/2026 and SLP (Crl.) No. 5381/2026,



respectively, another co-accused persons, namely, Shubham Barmecha has been granted anticipatory bail by this Court vide order dated 12.05.2026 passed in MCRCA No. 723/2026 and Dr. Anil Parsai, Rakesh Jain and Abhishek Kaushal have been granted regular bail by this Court vide order dated 12.05.2026, 14.05.2026 and 14.05.2026, respectively, further the applicant has no previous criminal antecedents, the charge-sheet has been filed in the present case, and the applicant has been in jail since 21.01.2026, as the conclusion of the trial is likely to take considerable time, this Court is of the view that the applicant is entitled to be released on bail in this case on the ground of parity.

7. Accordingly, the bail application is **allowed**. Let the applicant - **Kunjai Om Prakash Sharma**, involved in Crime No.05/2025 registered at Police Station - EOW/ACB, District - Raipur (C.G.) for the offence punishable under Sections 409, 467, 468, 471, 120-B of Indian Penal Code and Sections 13(1)(a) r/w 13(2) and under Section 7(c) of the Prevention of Corruption Act, be released on bail on his furnishing a **personal bond with two local 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 she 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 her absence, without sufficient cause,



the trial court may proceed against him under Section 269 of BNS.

(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 BNS.

(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 her in accordance with law.

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

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