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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4663 of 2026**

Kusumakar Rao Bhosle S/o Late Gulab Rao Bhosle Aged About 61 Years
R/o Flat No. 306, Geetanjali Apartment, Sindhi Colony, Bilaspur Tahsil
And District Bilaspur Chhattisgarh

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

State Of Chhattisgarh Through Station House Officer, Police Station Civil
Line, District Bilaspur Chhattisgarh

... Non-applicant(s)

For Applicant	: Mr. Amit Kumar, Advocate.
For Non-applicant/State	: Mr. Saumya Rai, Dy. Govt. Advocate.

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

1. The applicant has preferred this First Bail Application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 456/2026, registered at Police Station- Civil Line District- Bilaspur (C.G.) for the offence punishable under Sections 420, 211, 34, 467, 468, 471, 120B, 201 of IPC.
2. As per the prosecution story, in brief is that the present applicant and co-accused namely Dipendra Padhi approached the



complainant and demanded a loan. Accordingly, the complainant advanced a sum of Rs. 20,00,000/- (Rupees Twenty Lakhs) to them on 15.07.2017. Thereafter, on 18.07.2017, the applicant and the co-accused executed an agreement in favour of the complainant in respect of the said loan amount for business purposes. Subsequently, on 24.01.2018, owing to their friendly relationship with the complainant, the applicant and the co-accused allegedly demanded an additional loan amount of Rs. 1 crore in cash. When the complainant requested them to execute a fresh agreement for the additional loan amount, they stated that they had to leave immediately for Raipur and therefore, made corrections in the existing agreement and signed the same, mentioning the amount as a loan. Thereafter, during the period from 2021 to 2022, the applicant and the co-accused allegedly demanded further loan amounts from the complainant and the total amount advanced by the complainant allegedly came to Rs. 23,15,00,000/- (Rupees Twenty-Three Crores Fifteen Lakhs). It is further alleged that the applicant and the co-accused executed a final agreement at Raipur on 03.07.2024 and also issued cheques towards repayment of the loan amount. However, the said cheques were dishonoured by the bank due to insufficient funds. Thereafter, the complainant submitted a written complaint before the concerned Police Station as well as the Superintendent of Police. However, the police closed the complaint by observing that the dispute pertained to monetary transactions between the parties and was civil in nature. Subsequently, the complainant filed an application under Section



175(3) of the BNSS before the learned JMFC, Bilaspur, seeking registration of an FIR against the applicant and the co-accused for offences punishable under Sections 420 and 211 of the IPC. The learned Court allowed the application vide order dated 01.04.2026 and directed the concerned Police Station to investigate the matter and register an FIR. Pursuant thereto, an FIR was registered against the applicant and the co-accused under Sections 420 and 211 of the IPC. During the course of investigation, Sections 467, 468, 471, 120-B, 201 and 34 of the IPC were also added.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the entire prosecution story revolves around alleged cash transactions aggregating to Rs. 23.15 Crores said to have been advanced by the complainant over a prolonged period from 2017 to 2024, however, no material has been placed on record to establish the source of such huge funds by way of bank withdrawals, income-tax disclosures or any other cogent documentary evidence, thereby rendering the allegations inherently improbable and prima facie concocted for exerting pressure upon the applicant and other co-accused for recovery of money. It is further submitted that, with respect to the very same transactions and cheques, the complainant had already instituted proceedings under Section 138 of the Negotiable Instruments Act, registered as Complaint Case No. 1458/2025 before the learned JMFC, Bilaspur, which is still pending adjudication, but the said material fact was deliberately suppressed while filing the application under Section



175(3) of the BNSS. According to learned counsel, initiation of criminal proceedings after having already availed the remedy under Section 138 of the N.I. Act amounts to abuse of the process of law and demonstrates mala fide intention on the part of the complainant. It is also argued that there are material discrepancies regarding the cheque numbers mentioned in the complaint and in the order dated 01.04.2026 passed by the learned JMFC, as the actual cheque numbers are five-digit numbers whereas six-digit cheque numbers have been referred to therein. He further submits that the agreement dated 03.07.2024 was admittedly executed at Raipur and, therefore, the concerned Police Station at Civil Lines, Bilaspur lacked territorial jurisdiction to register and investigate the FIR. It is also contended that the allegation under Section 201 IPC regarding concealment of a ledger book is wholly vague and unsupported by any material, as neither the existence of such ledger book has been established nor is there any evidence suggesting its destruction or concealment by the applicant. It is argued that the entire case is founded upon documentary evidence in the form of agreements and cheques, all of which are already in possession of the Investigating Agency or form part of judicial records, leaving no possibility of tampering with evidence. Lastly, learned counsel submits that the arrest of the applicant is arbitrary and punitive in nature, inasmuch as the FIR was registered on 06.04.2026 pursuant to the order passed under Section 175(3) BNSS dated 01.04.2026 and the applicant was arrested on 08.04.2026 without any meaningful investigation or preliminary verification of the highly improbable



allegations involving cash transactions of such enormous magnitude. He further submits that on similar footing, co-accused Dipendra Padhi has already been granted bail by this Court in MCRC No. 4662/2026 vide order dated 15.05.2026 , therefore, it is submitted that the applicant deserves to be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application and submits that considering the nature and gravity of the allegations as well as the material collected during investigation, the applicant is not entitled to be released on bail. However, he does not dispute the fact that co-accused Dipendra Padhi, who is similarly situated and stands on the same footing as the present applicant, has already been granted bail by this Court in MCRC No. 4662/2026 vide order dated 15.05.2026.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the allegations levelled against the applicant, period of detention of the applicant since 08.04.2026, the fact that the investigation is complete and the material collected by the prosecution is primarily documentary in nature, the fact that the applicant has no criminal antecedents and further considering that co-accused Dipendra Padhi, who is similarly situated and stands on the same footing as the present applicant, has already been granted bail by this Court in MCRC No. 4662/2026 vide order dated 15.05.2026, this Court is of the opinion that the present applicant is also entitled to be enlarged on bail on the ground of parity.



Accordingly, without commenting on the merits of the case, I am inclined to grant bail to the applicant.

7. Accordingly, the bail application of the applicant is **allowed**.
8. Let applicant, **Kusumakar Rao Bhosle**, involved in Crime No. 456/2026, registered at Police Station- Civil Line District- Bilaspur (C.G.) for the offence punishable under Sections 420, 211, 34, 467, 468, 471, 120B, 201 of IPC., 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.

(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 Bharatiya Nyaya Sanhita is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate



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proceedings against him, in accordance with law, under Section Section 209 of 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**