



2025:CGHC:39293

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2978 of 2025

Gandhi Sande S/o Nilkant Sande Aged About 24 Years R/o. Baderabeli, P.S. Malkharauda, District- Sakti, Chhattisgarh.

--- **Applicant**

versus

State of Chhattisgarh Through- Station House Officer, Police Station Chakradhar Nagar, Raigarh, District- Raigarh, (C.G.)

--- **Non-applicant**

MCRC No. 3774 of 2025

Arya Subal Patel S/o Vedpati Patel Aged About 29 Years (Wrongly Mentioned Subal Patel In Order) (Wrongly Mentioned 31 Years In Order), R/o Banjinpali (Wrongly Mentioned Banjipali In Order), Ward No. 32, Raigarh District- Raigarh (C.G.)

---**Applicant**

Versus

State Of Chhattisgarh Through Thana In-Charge, P.S. Chakradhar Nagar, District- Raigarh (C.G.)

--- **Non-applicant**

MCRC No. 4875 of 2025

Dhanicharan Bareth S/o Shri Mahesh Ram Bareth Aged About 26 Years R/o Village Kusmura, Police Station Kotra Road, Tahsil And District Raigarh, Chhattisgarh.

---**Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Chakradhar Nagar, District Raigarh, Chhattisgarh.

--- **Non-applicant**

MCRC No. 4550 of 2025

Kaushal Sidar S/o Shrawan Sidar Aged About 22 Years R/o - Village- Nandeli,
P.S.- Kotra Road, Tehsil And District- Raigarh (C.G.)

---Applicant

Versus

State Of Chhattisgarh Through Station House Officer Chakradharnagar District-
Raigarh (C.G.)

--- Non-applicant

MCRC No. 4422 of 2025

Hemant Malakar S/o Doloram Malakar Aged About 32 Years R/o Basanpali,
Post Putkapuri, Tah. And District Raigarh (C.G.)

---Applicant

Versus

State Of Chhattisgarh Through Thana In-Charge, P.S. Chakradhar Nagar,
District Raigarh (C.G.)

--- Non-applicant

MCRC No. 4355 of 2025

Yashwant Dhirhe S/o Ashok Dhirhe Aged About 19 Years R/o Village - Tulsidih,
Police Station Dabhra, District Sakti Chhattisgarh

---Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Chakradhar Nagar, District Raigarh Chhattisgarh

--- Non-applicant

MCRC No. 3989 of 2025

Md. Majid S/o Khalil Aged About 40 Years R/o Kuraishi Moholla Lal Tanki
Chowk, P.S. Paijam Park Madi Asansol, District Vardhamn (W.B.)

---Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station -
Chakradhar Nagar, District - Raigarh Chhattisgarh

--- Non-applicant

For Applicant (in MCRC No. 2978/2025)	: Mr. Banhiman Roy, Advocate.
For Applicant (in MCRC Nos. 3774/2025 and 4422/2025)	: Mr. Rajendra Tripathi, Advocate.
For Applicant (in MCRC No. 3989/2025)	: Mr. Ankit Singh, Advocate.
For Applicant (in MCRC Nos. 4355/2025 and 4875/2025)	: Mr. Roop Ram Naik, Advocate.
For Applicant (in MCRC No. 4550/2025)	: Mr. Sanjay Agrawal, Advocate.
For Non-applicant/State	: Mr. Jitendra Shrivastava, Government Advocate.

PREETI
KUMARI
Digitally
signed by
PREETI
KUMARI
Date:
2025.08.08
20:38:07
+0530

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

06.08.2025

1. Since the above-mentioned seven bail applications arise out of same crime number, they are clubbed and heard together and are being disposed of by this common order.
2. These are the first bail applications filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 58/2025 registered at Police Station- Chakradhar Nagar, Raigarh, District - Raigarh Chhattisgarh, for the offence punishable under Sections 317(2), 317(4), 317(5), 111 and 3(5) of Bharatiya Nyaya Sanhita, 2023.
3. As per prosecution case, in short, is that the complainant lodged a report at the concerned police station alleging that, on the date of the incident, the complainant along with several investors deposited a total amount of Rs.1,52,50,000/- in various banks located in the Raigarh District. This amount was deposited in the name of a mutual account based on the assurance given by the accused persons. However, the accused failed to disburse the said amount to the intended beneficiaries, thereby committing a breach of trust and misappropriation of the funds. Acting on the complaint, the police registered a case under Sections 317(2), 317(4), 317(5), 111, and 3(5) of the Bhartiya Nyay Sanhita against

unknown persons. During the course of investigation, the present applicant was arrested on the basis of a memorandum statement.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in these cases. It has been further submitted that there is nothing incriminating material seized against the present applicants to show his involvement in commission of crime in question, and the applicants were not aware about the work of co-accused person and he is innocent and falsely implicated in the present case. It is also submitted that the applicants had neither committed, nor participated in any such act, which may amount to the alleged offence. The applicants are languishing in jail since 11.03.2025, 03.02.2025, 13.03.2025, 02.03.2025, 03.02.2025, 03.02.2025, and 03.02.20285, respectively, though the charge-sheet has been filed, the conclusion of the trial is likely to take some time, hence, they pray for grant of bail to the present applicants.
5. Learned counsel for the State/non-applicant opposes the bail application and submits that the charge-sheet has been filed. From the perusal of the case diary, it is evident that the applicants are involved in a well-organized cyber-financial fraud network operating primarily from Jamtara (Jharkhand) and Asansol (West Bengal). During the course of investigation, the involvement of each accused/applicant has come to light. The role of the accused/applicant namely Gandhi Shinde in **MCRC No. 2978/2025**, it that he is a resident of West Bengal, and has admitted during interrogation that he provided multiple ATM and SIM cards to many individuals for fraudulent activities. He procured one bank account through a friend of his associate Afzal, namely, Taj Ansari, for Rs.14,000/-. He has also confessed for having sold approximately 80 bank accounts and over some of which retained his control, into which

fraudulent funds were deposited. A total amount of Rs.11,20,000/- was credited to these accounts, and approximately Rs. 6–7 lakhs were transferred to other mule account holders. The role of the accused in **MCRC No. 3774/2025** – namely Arya Subal Patel is revealed that on the instructions of co-accused Piyush Bijlani, the applicant arranged four bank accounts through Hemant Malakar. Rs.10,000/- was paid for each account, out of which Rs. 5,000/- per account was paid by him to Hemant Malakar. The role of the accused in **MCRC No. 3989/2025** – Mohammed Majid, is that the investigation revealed that Afzal Khan received Rs. 80,000/- from Gandhi Shinde and was involved in a cyber fraud case. An amount of Rs. 40,000/- was transferred to the bank account of the applicant (Mohammad Majid), thereby indicating his direct benefit and active participation in the procedure of the fraud. In **MCRC No. 4355/2025** – the accused Yashwant Dhirhe a From the perusal of the case diary, it is evident that the applicants are involved in a well-organized cyber-financial fraud network operating primarily from Jamtara (Jharkhand) and Asansol (West Bengal). During the course of investigation, the involvement of each accused/applicant has come to light. The role of the accused/applicant namely Gandhi Shinde in **MCRC No. 2978/2025**, it that he is a resident of West Bengal, and has admitted during interrogation that he provided multiple ATM and SIM cards to many individuals for fraudulent activities. He procured one bank account through a friend of his associate Afzal, namely, Taj Ansari, for Rs.14,000/-. He has also confessed for having sold approximately 80 bank accounts and over some of which retained his control, into which fraudulent funds were deposited. A total amount of Rs.11,20,000/- was credited to these accounts, and approximately Rs. 6–7 lakhs were transferred to other mule account holders. The role of the accused in

MCRC No. 3774/2025 – namely Arya Subal Patel is revealed that on the instructions of co-accused Piyush Bijlani, the applicant arranged four bank accounts through Hemant Malakar. Rs.10,000/- was paid for each account, out of which Rs. 5,000/- per account was paid by him to Hemant Malakar. The role of the accused in **MCRC No. 3989/2025** – Mohammed Majid, is that the investigation revealed that arranged six bank accounts from different banks and handed them over to Gandhi Shinde in exchange for a commission of Rs. 2,500/- per account, amounting to Rs.15,000/-. These accounts were later sold by Gandhi Shinde to Taufiq Avari, a resident of Asansol, for Rs.14,000/- each. In **MCRC No. 4422/2025** the accused Hemant Malakar arranged four bank accounts in the names of Kaushal Sidar, Lakha Lal Sakh, Dhaniram Patel, and Dileshwar Rana, and provided them to Arya Subal Patel. For these services, he received Rs. 10,000/-, paying Rs. 2,500/- to each account holder. In **MCRC No. 4550/2025** the accused Kaushal Sidar opened an account No. 0661252400000801 with Karnataka Bank and handed over the passbook, ATM card, and SIM to Hemant Malakar, with the intention of converting fraudulent money into white money. Similarly, in **MCRC No. 4875/2025** the accused Dhanicharan Bareth motivated by monetary gain, handed over his Karnataka Bank Account No. 9992505046969901, along with associated documents and SIM card, to Hemant Malakar. Per day 20 to 25 transactions were recorded on multiple dates on 03.09.2024, 04.09.2024, 05.09.2024, 06.09.2024, 10.09.2024, and 11.09.2024, clearly indicating his complicity. These accounts were later on collected by Hemant Malakar and transferred to Arya Subal Patel, who sold them to Taj Ansari of Asansol for Rs. 14,000/- each. The investigation has revealed that a total amount defrauded is approximately Rs.1,52,50,000/-, involving 59 mule accounts used to receive and

transfer the money through the procedure of cyber crime. The fraud was carried out through an organized syndicate of individuals, each playing a specific role in the criminal conspiracy. Several co-accused persons are still absconding in the present matter out of which some of them are residents of Jharkhand and West Bengal. The release of the present applicants on bail may hinder the further investigation of the present case, and the same amounts to tamper with the evidence, and facilitate the escape of absconding accused. In light of the gravity of the offence, and the well-organized nature of the cyber fraud, the extensive financial loss suffered by the victims, and the specific roles attributed to each applicant, it is respectfully submitted that the bail applications deserve to be rejected.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, and From the perusal of the case diary, it is evident that the applicants are involved in a well-organized cyber-financial fraud network operating primarily from Jamtara (Jharkhand) and Asansol (West Bengal). During the course of investigation, the involvement of each accused/applicant has come to light. The role of the accused/applicant namely Gandhi Shinde in **MCRC No. 2978/2025**, it that he is a resident of West Bengal, and has admitted during interrogation that he provided multiple ATM and SIM cards to many individuals for fraudulent activities. He procured one bank account through a friend of his associate Afzal, namely, Taj Ansari, for Rs.14,000/-. He has also confessed for having sold approximately 80 bank accounts and over some of which retained his control, into which fraudulent funds were deposited. A total amount of Rs.11,20,000/- was credited to these accounts, and approximately Rs. 6–7 lakhs were

transferred to other mule account holders. The role of the accused in **MCRC No. 3774/2025** – namely Arya Subal Patel is revealed that on the instructions of co-accused Piyush Bijlani, the applicant arranged four bank accounts through Hemant Malakar. Rs.10,000/- was paid for each account, out of which Rs. 5,000/- per account was paid by him to Hemant Malakar. The role of the accused in **MCRC No. 3989/2025** – Mohammed Majid, is that the investigation revealed that Afzal Khan received Rs. 80,000/- from Gandhi Shinde and was involved in a cyber fraud case. An amount of Rs. 40,000/- was transferred to the bank account of the applicant (Mohammad Majid), thereby indicating his direct benefit and active participation in the procedure of the fraud. In **MCRC No. 4355/2025** – the accused Yashwant Dhirhe a From the perusal of the case diary, it is evident that the applicants are involved in a well-organized cyber-financial fraud network operating primarily from Jamtara (Jharkhand) and Asansol (West Bengal). During the course of investigation, the involvement of each accused/applicant has come to light. The role of the accused/applicant namely Gandhi Shinde in **MCRC No. 2978/2025**, it that he is a resident of West Bengal, and has admitted during interrogation that he provided multiple ATM and SIM cards to many individuals for fraudulent activities. He procured one bank account through a friend of his associate Afzal, namely, Taj Ansari, for Rs.14,000/-. He has also confessed for having sold approximately 80 bank accounts and over some of which retained his control, into which fraudulent funds were deposited. A total amount of Rs.11,20,000/- was credited to these accounts, and approximately Rs. 6–7 lakhs were transferred to other mule account holders. The role of the accused in **MCRC No. 3774/2025** – namely Arya Subal Patel is revealed that on the instructions of co-accused Piyush Bijlani, the applicant arranged four

bank accounts through Hemant Malakar. Rs.10,000/- was paid for each account, out of which Rs. 5,000/- per account was paid by him to Hemant Malakar. The role of the accused in **MCRC No. 3989/2025** – Mohammed Majid, is that the investigation revealed that ranged six bank accounts from different banks and handed them over to Gandhi Shinde in exchange for a commission of Rs. 2,500/- per account, amounting to Rs.15,000/-. These accounts were later sold by Gandhi Shinde to Taufiq Avari, a resident of Asansol, for Rs.14,000/- each. In **MCRC No. 4422/2025** the accused Hemant Malakar arranged four bank accounts in the names of Kaushal Sidar, Lakha Lal Sakh, Dhaniram Patel, and Dileshwar Rana, and provided them to Arya Subal Patel. For these services, he received Rs. 10,000/-, paying Rs. 2,500/- to each account holder. In **MCRC No. 4550/2025** the accused Kaushal Sidar opened an account No. 0661252400000801 with Karnataka Bank and handed over the passbook, ATM card, and SIM to Hemant Malakar, with the intention of converting fraudulent money into white money. Similarly, in **MCRC No. 4875/2025** the accused Dhanicharan Bareth motivated by monetary gain, handed over his Karnataka Bank Account No. 9992505046969901, along with associated documents and SIM card, to Hemant Malakar. Per day 20 to 25 transactions were recorded on multiple dates on 03.09.2024, 04.09.2024, 05.09.2024, 06.09.2024, 10.09.2024, and 11.09.2024, clearly indicating his complicity. These accounts were later on collected by Hemant Malakar and transferred to Arya Subal Patel, who sold them to Taj Ansari of Asansol for Rs. 14,000/- each. The investigation has revealed that a total amount defrauded is approximately Rs.1,52,50,000/-, involving 59 mule accounts used to receive and transfer the money through the procedure of cyber crime. The fraud was carried out through an organized syndicate of individuals, each playing a

specific role in the criminal conspiracy. Several co-accused persons are still absconding in the present matter out of which some of them are residents of Jharkhand and West Bengal. The release of the present applicants on bail may hinder the further investigation of the present case, and the same amounts to tamper with the evidence, and facilitate the escape of absconding accused. In light of the gravity of the offence, and the well-organized nature of the cyber fraud, the extensive financial loss suffered by the victims, and the specific roles attributed to each applicant, this Court is of the opinion that it is not a fit cases to enlarge the applicants on regular bail.

8. Accordingly, the bail applications preferred by the applicants – **Gandhi Sande, Arya Subal Patel, Dhanicharan Bareth, Kaushal Sidar, Hemant Malakar, Yashwant Dhirhe** and **Md. Majid** involved in Crime No. 58/2025 registered at Police Station- Chakradhar Nagar, Raigarh, District - Raigarh Chhattisgarh, for the offence punishable under Sections 317(2), 317(4), 317(5), 111 and 3(5) of Bharatiya Nyaya Sanhita, 2023, is **rejected** at this stage.
9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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