



2026:CGHC:24763



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****M.Cr.C(A) No.804 of 2026**

Sitaram Sahu S/o Dasruram Sahu Aged About 52 Years R/o
Ghutkel, P. S. Borai, Tahsil Belargaon, District Dhamtari (C.G.)

... Applicant**versus**

State Of Chhattisgarh Through P. S. Borai District Dhamtari (C.G.)

... Non-applicant

For Applicant : Mr. Rajesh Jain along with Mrs. Kiran
Jain, Advocate.

For Non-applicant/State : Ms. Vaishali Mahilang, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order On Board****18.06.2026**

1. The Applicant has preferred this Second anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of Anticipatory Bail,



apprehending his arrest in connection with Crime No.07/2026, registered at Police Station – Borai, District Dhamtari (C.G.) for alleged commission of offence punishable under Sections 318(4), 338, 339 and 340 BNS. 1st anticipatory bail application was dismissed on merits vide order dated 27.02.2026 passed in M.Cr.C(A) No.312 of 2026.

2. According to the prosecution, the complainant Bodhn Ram Mandeai, serving as Mandi Secretary, lodged an FIR against the present Applicant-Sitaram Sahu, proprietor of Sitaram Traders and a licensed trader of Krishi Upaj Mandi Samiti, Nagari (Licence No. 159020062). It is alleged that during the period from 15.11.2025 to 31.12.2025, the present Applicant generated 36 e-permits through the E-Mandi Portal showing transportation of 3,830 quintals of paddy. Upon verification of the E-Mandi Portal records, the Applicant's stock register (Form B-1) and the Mandi Check Post register, discrepancies were allegedly found in the quantity of paddy transported. The prosecution alleges that a total of 3,470 quintals of paddy was transported without proper accounting in the E-Mandi records, resulting in non-payment of Mandi fee amounting to Rs.1,52,680/- and causing financial loss to the Krishi Upaj Mandi Samiti, Nagari, thereby attracting the aforesaid offences. Based on the said allegations, offences as



mentioned in the 1st para have been registered against the present Applicant. Hence, this application.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. It is submitted that the first anticipatory bail application was rejected on merits, however, thereafter the Applicant has deposited the entire outstanding Mandi fee along with the prescribed penalty, constituting a change in circumstances warranting consideration of the present second application. It is further submitted that the Applicant is a licensed trader and proprietor of Sitaram Traders registered with Krishi Upaj Mandi Samiti, Nagari, no forged permit has been seized and the allegations are based merely on discrepancies found during comparison of the trade records and E-Mandi Portal entries. It is further argued that the alleged act, if any, is governed by the provisions of the Chhattisgarh Krishi Upaj Mandi Adhiniyam, which provides for imposition of fee, penalty and composition of offences. He further submits that the present Applicant has already deposited the entire fee and penalty amount and the Secretary, Krishi Upaj Mandi Samiti, Nagari, has informed the concerned police authorities that no dues remain outstanding against the Applicant and prays for grant of anticipatory bail.



4. On the other hand, learned State Counsel opposes the application and submits that despite deposit of the outstanding Mandi fee and penalty, the alleged criminal acts committed by the Applicant do not stand wiped. It is further submitted that the first anticipatory bail application of the Applicant has already been rejected on merits and no such substantial change in circumstances has occurred so as to warrant reconsideration of the matter, therefore, the present application for anticipatory bail may also be rejected.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Having heard learned counsel for the parties and on perusal of the case diary, this Court finds that the earlier anticipatory bail application of the Applicant was rejected on merits. The only ground urged in the present second application is that the Applicant has subsequently deposited the outstanding Mandi fee and penalty amount, however, such deposit, by itself, does not constitute a substantial change in circumstances so as to warrant reconsideration of the matter. *Prima facie*, the material collected during investigation indicates discrepancies in the records relating to transportation of paddy and evasion of payment of Mandi fee,



which form the basis of the prosecution case. In the considered opinion of this Court, no sufficient ground has been made out for entertaining a second anticipatory bail application. Accordingly, this Court is not inclined to grant the extraordinary relief of anticipatory bail to the Applicant.

7. Accordingly, the Second Anticipatory Bail application of the Applicant – **Sitaram Sahu**, filed under Section 482 of the BNSS, 2023 in connection with Crime No.07/2026, registered at Police Station – Borai, District Dhamtari (C.G.) for alleged commission of offence punishable under Sections 318(4), 338, 339 and 340 BNS , is hereby **rejected**.
8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Ramesh Sinha)
Chief Justice