CGHC010228002026 2026:CGHC:31548

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No.955 of 2026

1 - Gopi Shankar S/o Shri Mohanlal Dodi Aged About 27 Years R/o Bakulwahi, Narayanpur Distt- Narayanpur (C.G.)

Applicant (s)

versus

1 - State Of Chhattisgarh Through- Station House Officer, Police Station - Narayanpur, Distt- Narayanpur (C.G.)

Respondent(s)

For Applicant (s)	:	Mr. Rajesh Mishra, Advocate
For Respondent(s)	:	Mr. Jitendra Shrivastava, GA

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

23.07.2026

1. This first anticipatory bail application filed 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.74/2025 registered at Police Station Narayanpur, District Narayanpur (C.G.) for the offence punishable under Sections 317 (2), 317 (5) & 318 (4) of BNS.

2. The prosecution's case, in brief, is that as per complaint dated 13.08.2024 submitted by Gaurav Saini, resident of Madlauda, Panipat, Haryana, it was found that an amount of Rs.2,12,000/- was transferred between 02 August 2024 and 11 August 2024 into Canara Bank Account No. 120029965344, held by the applicant Gopi Shankar Dodi. The said amount was obtained by inducing the victim with false representations, namely seeking money in the name of helping flood victims in Assam, and promising a 3% return on investments made through a recharge application. The account holder received and utilized property (money) that had been dishonestly obtained from the victim's account without the victim's consent, and thereafter transferred and used the funds through various means. The said account (mule account) was used to cause wrongful loss to the victim and to obtain wrongful gain from the proceeds of fraud. It was found that the account holder knowingly used the mule account for the purpose of committing fraud and cheating. Based on above facts, police registered case against the applicant. Hence, this application.

3. Learned counsel for the applicant would submit that the applicant is innocent and he has been falsely implicated in crime in question. It is further submitted that the applicant has no direct or indirect connection with the alleged offence. In fact, three years ago, the applicant was working in the grocery stores at Kanker where his co-worker introduced him to one Harish Sahu who was running a mobile shop and a fancy store and then friendship developed between the two. Harish Sahu told him that there has been huge transaction in his account and he is therefore required to pay heavy taxes, and he requested the applicant to open a current account in his name which shall be conducted and maintained by him (Harish Sahu). The applicant then on good faith opened a current account and handed over the same to Harish Sahu. ATM card of the said account was also with Harish Sahu. He further submitted that the applicant has no criminal antecedents and the applicant is ready to abide by all the directions and conditions imposed by this Court, therefore, he prays for grant of anticipatory bail to the applicant.

4. On the other hand, learned State counsel for the non-applicant/State, opposes the anticipatory bail application of the applicant and submits that the present applicant by using the mule account in cyber crime/fraud received illegal money as such he committed fraud. There are certain transactions from the account of the present applicant into the other bank accounts of his associates and lakhs of rupees have been transacted. The present applicant has also received the fraud money through UPI ID of the bank account belonging to him and he is beneficiary of this case and obtained money earned from the cyber fraud/crime. He further submitted that the matter is already under investigation and to find out the real culprit and the cartel, interrogation of the applicant is essential, as such the applicant may not be released on anticipatory bail at this stage.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the facts & circumstances of the case, nature and gravity of offence and further considering that the applicant is alleged to have involved in cyber fraud by using the mule account for receiving illegal money. There are certain transactions from the account of the present applicant into the other bank accounts of his associates and lakhs of rupees have been transacted. The present applicant has also received the fraud money through UPI ID of the bank account belonging to him and he is beneficiary of this case and obtained money through the cyber fraud/crime and the investigation is already going on in the matter and the applicant needs to be interrogated, therefore, this Court does not deem it appropriate to release the applicant on anticipatory bail at this stage.

7. Accordingly, the anticipatory bail application of the **applicant – Gopi Shankar,** involved in Crime No.74/2025 registered at Police Station Narayanpur, District Narayanpur (C.G.) for the offence punishable under Sections 317 (2), 317 (5) & 318 (4) of BNS, **is rejected.**

Sd/-

(Ramesh Sinha)
Chief Justice

Nirala