



2026:CGHC:29939



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6308 of 2026

Ganesh Ram Shrivastava S/o Late Shri Sitaram Aged About 50 Years
Occupation Farming R/o Gram Purkela, Thana And Teh. Lundra Distt
Surguja Chhattisgarh

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Lundra Distt Surguja Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Syed Ishhadil Ali, Advocate.

For Respondent(s) : Mr. Sumit Singh, Deputy Advocate General.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

15/07/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 28/2026 registered at Police Station Lundra Distt Surguja (C.G.) for the offence punishable under



Sections 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of the BNS.

- 2.** Case of the prosecution, in brief, is that complainant Krishna Kumar Nagesiya submitted a written application at Police Chowki Raghunathpur, Police Station Lundra, District Surguja (C.G.), alleging that his father, Bandhan Nagesiya, had died on 29.12.2019 and was the owner of certain agricultural land situated in Village Sayerrai. It is alleged that co-accused Bandhan Oraon impersonated the deceased Bandhan Nagesiya and, by executing a forged sale deed dated 06.01.2026, fraudulently sold the said land to Akash Deep Raimbo for a consideration of Rs.29,92,000/-, in the presence of witness Vishwanath Sayed. On the basis of the said complaint, an FIR was registered at Police Station Lundra. During the course of investigation, the present applicant was arrested and an amount of Rs.17,000/- was seized from his possession, which is alleged to be part of the sale consideration obtained through the forged sale transaction. Consequently, the applicant has been implicated for the offences punishable under Sections 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023. Hence, the bail application.
- 3.** Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in offence in question. He further submits that identically situated co-accused, namely, Aakash Deep Raimbo has already been granted bail by this Court vide order dated 01.05.2026 passed in MCRC No.2402 of 2026 and one co-accused, Albart Kujur has been granted



anticipatory bail by this Court vide order dated 13.05.2026 passed in MCRCA No.746 of 2026. The applicant is in jail since 06.02.2026, the applicant has no criminal antecedent, charge-sheet has been filed and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. He further submits that the applicant actively participated in the fraudulent sale transaction by facilitating the execution of a forged sale deed in respect of the land belonging to the deceased Bandhan Nagesiya, and that an amount of Rs.17,000/-, alleged to be part of the sale consideration received through the said forged transaction, was recovered from his possession. Consequently, he is alleged to have acted in furtherance of the common intention/conspiracy with the co-accused in the commission of the alleged offences, but could not dispute the fact that identically situated co-accused, Aakash Deep Raimbo has already been granted bail 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 offence, period of detention of the applicant since 06.02.2026, the fact that though the applicant is alleged to have facilitated the execution of a forged sale deed in respect of the deceased's land, and Rs.17,000/-, alleged to be part of the sale



consideration, was recovered from his possession, indicating his involvement in the alleged conspiracy, but considering the fact that identically situated co-accused, namely, Aakash Deep Raimbo has already been granted bail by this Court vide order dated 01.05.2026 passed in MCRC No.2402 of 2026 and one co-accused, Albart Kujur has been granted anticipatory bail by this Court vide order dated 13.05.2026 passed in MCRCA No.746 of 2026, further the applicant has no criminal antecedent and charge-sheet has been filed in the present case, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Ganesh Ram Shrivastava**, involved in Crime No. 28/2026 registered at Police Station Lundra Distt Surguja (C.G.) for the offence punishable under Sections 319(2), 318(4), 336(3), 338, 340(2) and 61(2) of the BNS, 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 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 the 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 send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Akhil