



2026:CGHC:3393



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8634 of 2025

Deepak S/o Jagdish Aged About 29 Years R/o Village Bhakroli Sambhal (U.P.), At Present R/o B-25, J.J. Colony, Phase -3, Dwarika Sector -03, N.S.I.T. South West Delhi.

... **Applicant**

versus

State of Chhattisgarh Through Station House Officer, Police Station Telibandha, District - Raipur, Chhattisgarh.

... **Non-applicant**

For Applicant	: Mr. Ankit Singh, Advocate.
For Non-applicant/State	: Dr. Saurabh K. Pande, Deputy A.G.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

1. This is the **Second Bail Application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 644/2024, registered at Police Station : Telibandha, District - Raipur, (C.G.) for the offence punishable under Section 318(4), 61 of the Bharatiya Nyaya Sanhita, 2023.
2. The earlier bail application of the applicant has been rejected by this Court in MCRC No. 3814 of 2025 vide order dated 13.05.2025 on



merits.

- 3.** The case of the prosecution, in brief, is that the complainant Animesh Tiwari lodged a written report at Police Station Telibandha stating that he is working as a Sales Manager in Resera Gujarat Company. It is alleged that on 08.07.2024 he was added to a WhatsApp group titled 'Chandra High Quality Stock Sharing Group' by its administrator namely Chandra Takal, who assured him of high returns on low investment. Acting on such assurance, the complainant initially invested an amount of Rs.10,000/- on 08.08.2024 and subsequently invested a total sum of approximately Rs.88,00,000/-. When the complainant attempted to withdraw the invested amount, he was allegedly asked to deposit an additional sum of Rs.10,70,000/-, whereafter he realized that he had been cheated and had fallen victim to a cyber fraud involving a total amount of approximately Rs.99,00,000/-. On the basis of the said report, a case was registered for offences punishable under Sections 318(4) and 61 of the Bharatiya Nyaya Sanhita (B.N.S.), and during the course of investigation, the present applicant was arrested. Hence, this bail application.
- 4.** Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the instant case. He further submits that this is the second bail application, as the earlier bail application was rejected on merits by this Hon'ble Court vide order dated 13.05.2025 passed in MCRC No. 3814 of 2025. However, in compliance of the order dated 12.12.2025, the



statements of the complainant and two other prosecution witnesses out of total nine witnesses have been recorded, and all the three examined witnesses have not supported the prosecution case. It is contended that the applicant has been arrested merely on the basis of suspicion and his name does not find place in the FIR. The applicant had no knowledge of the alleged incident and no specific role has been attributed to him. It is further submitted that the applicant is in jail since 07.11.2024, and in view of the prolonged detention, changed circumstances and absence of incriminating material, the applicant deserves to be enlarged on regular bail.

5. On the other hand, learned State counsel opposes the present bail application and submits that the applicant is involved in a serious offence of cyber fraud involving a huge amount of approximately Rs.99,00,000/-. It is contended that the applicant, in connivance with other accused persons, induced the complainant to invest money on the false assurance of high returns through a fraudulent stock market scheme. The offence is grave in nature, affects public confidence, and is part of an organized cyber crime. The investigation is still in progress and there is every likelihood that if the applicant is released on bail, he may influence witnesses, tamper with evidence or repeat similar offences. Therefore, considering the nature and gravity of the offence, the applicant is not entitled to the benefit of bail.
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 that this is the second bail application, as the earlier bail application was rejected on merits by this Court vide order dated 13.05.2025 passed in MCRC No. 3814 of 2025. However, in compliance of the order dated 12.12.2025, the statements of the complainant and two other prosecution witnesses out of total nine witnesses have been recorded, and all the three examined witnesses have not supported the prosecution case. Also considering the fact that the present applicant is languishing in jail since 07.11.2024 and the conclusion of the trial may take some more time, therefore, this Court is of the view that the applicant is entitled to be released on bail in this case.
8. Accordingly, the second bail application of the applicant is **allowed**. Let the Applicant – **Deepak**, involved in Crime No. 644/2024, registered at Police Station : Telibandha, District - Raipur, (C.G.) for the offence punishable under Section 318(4), 61 of the Bharatiya Nyaya Sanhita, 2023, be released on bail on his furnishing **personal bond** with **two local 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 his, 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 his in accordance with law.

9. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible within a period of **four months** from the receipt of a certified copy of this order in accordance with law, if there is no legal impediment.
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