



2026:CGHC:3670



2026:CGHC:3671

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9709 of 2025

Amit Kumar Mourya S/o Umashankar Mourya Aged About 37 Years R/o Ward No. 10, Baradwar, Near Petrol Pump, Baradwar, P.S. Baradwar, District - Sakti (C.G.) ... **Applicant**

versus

State Of Chhattisgarh Through - Station House Officer - Nandini Nagar, District - Durg (C.G.) ... **Respondent**

For Applicant(s) : Mr. Sumit Jhawar, Advocate.
For Respondent(s) : Mr. Soumya Rai, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

21/01/2026

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. 201/2025 registered at Police Station Nandini Nagar, District Durg (C.G.) for the offence punishable under Sections 318(4), 338, 336(3), 340(2) of the BNS and Section 66(C) of I.T. Act.
2. The prosecution case, in brief, is that the complainant, Radheshyam



Verma, posted as Tahsildar at Tahsil Office, Ahiwara, lodged a written report at Police Station Nandini alleging that certain persons had fraudulently obtained User I.D. Code No. PAT 430600016 allotted to Patwari Krishna Kumar Sinha and, by misusing the same, prepared forged online and revenue documents relating to land bearing Khasra Nos. 1051/23, 1051/24, 1051/25, 1546/4, and 1546/5, admeasuring 5.9750 hectares, situated at Village Achhoti, Tahsil Ahiwara, recorded in the name of Dinu Ram Yadav in the Kissan Kitab, on the basis of which the said Dinu Ram Yadav obtained a loan from the State Bank of India, Branch Nandini Nagar, District Durg, and the loan amount was subsequently transferred to multiple bank accounts; upon complaints regarding discrepancies, verification of revenue records revealed that the signatures in the Kissan Kitab, Form-C, and Patwari Report were forged and did not belong to the concerned Patwari or Tahsildar, and further inquiry showed that the said Kissan Kitab had not been issued by the Kanungo Department, pursuant to which an inquiry report was submitted to the Sub-Divisional Officer (Revenue), Bhilai-3, leading to deletion of the suspected khasra numbers from online records and registration of offences against Dinu Ram Yadav, S. Ram Banjare, and others, wherein the present applicant is alleged to have assisted the co-accused by tampering with the State's software system and procuring OTPs for forging the online records, and was accordingly arrested on 25.11.2025 for offences punishable under Sections 318(4), 338, 336(3), 340(2), 3(5), and 111(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 66C and 61(2) of the Information Technology Act, 2000.

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 as one Dinu Ram Yadav, through Sanjay Verma, had borrowed an amount of ₹20,00,000/- from the co-accused and executed an agreement acknowledging the said transaction, and in partial repayment thereof, transferred ₹5,00,000/- to the bank account of the co-accused by cheque, which transaction was purely in discharge of a lawful debt and did not involve the present applicant in any manner; the applicant has no involvement whatsoever in the alleged preparation or use of any forged or fabricated document, nor is he a beneficiary of any fraudulent act, and there exists no direct or indirect prima facie evidence against him, as his name has been implicated solely on the basis of the memorandum statements of the co-accused and no document or article has been seized from his possession; the applicant is the sole breadwinner of his family and his continued detention since 30.10.2025 would cause undue hardship to his dependents; the alleged offences are triable by the Magistrate and are not punishable with death or life imprisonment; and further, similarly placed co-accused, namely, Nandkishore Sahu and Shiyankhik Verma, have already been granted bail by this Hon'ble Court vide orders dated 06.11.2025 passed in M.Cr.C. No. 7828 of 2025 and dated 23.09.2025 passed in M.Cr.C.A. No. 1483 of 2025, copies whereof are filed herewith as Annexure A-2, thereby entitling the present applicant to the relief of bail.

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. She further submits that the applicant allegedly along with other co-accused persons, prepared and used forged documents for illegally



recording their names over government land in the revenue records and, on the basis of such forged documents, obtained Kisan Credit Card (K.C.C.) loan facilities from the bank, thereby committing the alleged offences, further the applicant has one criminal antecedent, therefore, the applicant is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the documents appended with the bail application.
6. Considering the overall facts and circumstances of the case, the nature and gravity of the allegations levelled against the applicant, the fact that the similarly placed co-accused, namely, Nandkishore Sahu, has already been granted bail by this Hon'ble Court vide order dated 06.11.2025 passed in M.Cr.C. No. 7828 of 2025, and that another co-accused, namely, Shiyankhik Verma, has been granted anticipatory bail by this Court vide order dated 23.09.2025 passed in M.Cr.C.A. No. 1483 of 2025, the applicant is in jail since 30.10.2025, and further considering that the conclusion of the trial is likely to take some time, this Court is inclined to grant regular bail to the present applicant.
7. Accordingly, the application is **allowed**.
8. Let the Applicant - **Amit Kumar Mourya**, involved in Crime No. 201/2025 registered at Police Station Nandini Nagar, District Durg (C.G.) for the offence punishable under Sections 318(4), 338, 336(3), 340(2) of BNS and Section 66(C) of I.T. Act, 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. However, this Court hopes and trusts that the trial Court shall make an earnest endeavour to conclude the trial as expeditiously as possible, preferably within a period of **six months** from the date of filing of the charge-sheet, 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