



2026:CGHC:3679

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 10151 of 2025**

- Janak Sagar S/o Late Babu Lal Aged About 45 Years R/o Village Mahkam Chouk And Tahsil Sonakhan P.S. Kasdol, Distt. Balodabazar-Bhatapara Chhattisgarh

... Applicant**versus**

- State Of Chhattisgarh Through S.H.O. Police Station Kasdol District Balodabazar-Bhatapara Chhattisgarh

... Respondent**(Cause title is taken from Case Information System)**

For Applicant : Ms. Priyanka Bhan Singh, Advocate
 For Respondent/State : Ms. Vaishali Mahilong, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****21.01.2026**

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 433/2025, registered at Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 420, 409, 418, 34 of IPC.
2. The case of the prosecution, is that it is alleged that on 25.08.2023 complainant Chhedilal Sahu went to the house of the applicants to meet Ramnarayan Sahu and his son Gulshan Sahu and during that

he was offered to invest in share trading to double the amount invested, On such assurance the complainant invested Rs. 20,00,000/- through RTGS and rest amount in cash, total sum of Rs. 39,10,000/- was invested to be doubled in period of two years, but applicants did not returned the amount thereby committed cheating with the complainant. Hence, the offence has been registered.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and the present applicant has been made accused only on the basis of the factual backdrop that the applicant is neighbor of the accused named Gulshan Sahu and collected money for share trading. He further submits that there is one criminal antecedents registered against the present applicant for similar offence bearing crime No.378 of 2025 for offence under Sections 420, 409, 418, 34 of IPC and applicant has moved bail applications before this Hon'ble Court and applicant is in jail in aforementioned offence. It is further submitted that the charge-sheet has been filed in this case and the applicant is in jail since 25.06.2025 and trial is likely to take some time for its conclusion, therefore, he prays for grant of bail.
4. On the other hand, the learned State counsel opposes the bail application and submits that there is one criminal antecedents registered against the present applicant for similar offence, it appears that applicant is a habitual offender, therefore, present applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused all of the documents available on record.
6. Taking into consideration the facts and circumstances of the case,

nature and gravity of allegation levelled against the applicant and the fact that there is only one criminal antecedents registered against the present applicant, charge-sheet has been filed against the applicant and he is in jail since 25.06.2025 and conclusion of the trial is likely to take some time, I am inclined to allow this application.

7. Let applicant, **Janak Sagar**, involved in Crime No.433/2025, registered at Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 420, 409, 418, 34 of IPC, 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.

8. 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

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