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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10044 of 2025

Mohit Kumar Sahu S/o Prit Ram Sahu Aged About 20 Years R/o
Mandeli Ward No. 08, Mandeli , P.S. Virejhar, Dhamtari District-
Dhamtari (C.G.)

--- Applicant

versus

State Of Chhattisgarh Through P.S. Tikrapara, District- Raipur (C.G.)

--- Respondent(s)

For Applicant : Mr. Bharat Lal Dembra, Advocate

For Respondent(s) : Mr. Priyank Rathi, G.A.

MCRC No. 76 of 2026

Tushar Bhasgouri S/o Shri Rajesh Bhasgouri Aged About 24 Years R/o
Mandigate Pandri P/s Pandri, District. Raipur Cg

---Applicant

Versus

State Of Chhattisgarh Through P/s Tikrapara Distt.- Raipur (C.G.)

--- Respondent(s)



For Applicant : Mr. Ajay Kumar Mishra, Advocate
For Respondent(s) : Mr. Priyank Rath, G.A.

MCRC No. 10047 of 2025

Gaurav Singh S/o Jitendra Singh Aged About 23 Years R/o - Pragati
Maidan, Pandri, Raipur, District : Raipur, Chhattisgarh

---Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Through
Police Station- Tikrapara, District : Raipur, Chhattisgarh

--- Respondent(s)

For Applicant : Mr. Shivendu Pandya, Advocate
For Respondent(s) : Mr. Priyank Rath, G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20.01.2026

1. The applicants had preferred this First Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as they have been arrested in connection with Crime No. 229/2025, registered at Police Station Tikrapara, District- Raipur (CG) for the offence punishable under Sections 317(2), 317(4), 317(5), 111, 3(5) of BNS, 2023.
1. The prosecution story in brief, is that, the Dy. Superintendent of Police, Range Cyber Station Raipur, submitted a written complaint on 22.03.2025 to the SHO Tikrapara, Raipur, stating that as per instructions received from the senior office,



information related to mule bankl accounts used to dispose of/use and promote funds obtained from cyber fraud was collected from the coordination portal of the indian Cyber crime coordiantion center operated by the Ministry of Home Affairs, Government of India, which is a guide for police for investigation purposes, in which a total amount of Rs. 21,97,673/- was received through cyber fraud in a Ratnakar Bank Limited (RBL) bank account in Raipur branch.

2. Learned counsel for the applicant submits that the applicants have not committed any offence and they have been falsely implicated in offence in question. He further submits that identically situated co-accused persons, namely, Vikas Madhwani, Jitendra Bagh, Priya Sori and Bhavika Harchandani have already been granted bail by the Hon'ble Supreme Court vide common order dated 18.12.2025 in Criminal Appeal No. 5615/2025 arising out of SLP (Crl.) No. 16298/2025, Criminal Appeal No. 5616/2025 arising out of SLP (Crl.) No. 17964/2025, Criminal Appeal No. 5617/2025 arising out of SLP (Crl.) No. 19330/2025 and Criminal Appeal No. 5618/2025 arising out of SLP (Crl.) No. 19243/2025, respectively and the regular bail of the co-accused, namely, Nitesh Kumar Sharma has already been granted by this Court vide order dated 07.01.2026 passed in MCRC No. 15/2026, the applicant is in jail since 27.03.2025, 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.

3. 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 is alleged to be one of the holders of a bank account identified as a "mule account," which was used for receiving and transferring money obtained through cyber fraud, thereby facilitating the commission of cyber offences. Therefore, present applicant is not entitled for grant of bail.
4. I have heard learned counsel for the parties and perused all of the documents available on record.
5. Taking into consideration the facts and circumstances of the case, nature and gravity of offence, period of detention of the applicant since 27.03.2025, the fact that though the applicant is alleged to be one of the holders of a bank account identified as a "mule account," which was used for receiving and transferring money obtained through cyber fraud, thereby facilitating the commission of cyber offences, but considering the fact that identically situated co-accused persons, namely, Vikas Madhwani, Jitendra Bagh. Priya Sori and Bhavika Harchandani have already been granted bail by the Hon'ble Supreme Court vide common order dated 18.12.2025 in Criminal Appeal No. 5615/2025 arising out of SLP (Crl.) No. 16298/2025, Criminal Appeal No. 5616/2025 arising out



of SLP (Crl.) No. 17964/2025, Criminal Appeal No. 5617/2025 arising out of SLP (Crl.) No. 19330/2025 and Criminal Appeal No. 5618/2025 arising out of SLP (Crl.) No. 19243/2025, respectively, further the regular bail of the co-accused, namely, Nitesh Kumar Sharma has already been granted by this Court vide order dated 07.01.2026 passed in MCRC No. 15/2026, the applicant has no criminal antecedents and charge-sheet has been filed, this Court is of the view that the applicant is entitled to be released on bail in this case.

6. In view of the principle of parity and considering the submissions that the applicants have been falsely implicated, this Court is of the view that the applicants are also entitled to the benefit of bail. While the offences alleged are serious, the applicants' release on bail shall be subject to appropriate conditions to ensure that the trial proceeds without obstruction and that the applicant does not influence witnesses or tamper with evidence. Accordingly, the instant second bail application of the applicant is allowed.
7. Let the applicants- **Gaurav Singh, Tushar Bhasgouri, Mohit Kumar Sahu**, involved in Crime No. 229/2025 registered at Police Station Tikrapara, District - Raipur (C.G.), for the offence punishable under Sections 317(2), 317(4), 317(5), 111, 3(5) of BNS, 2023 be released on bail on their furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-



(i) The applicants shall file an undertaking to the effect that they 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 applicants 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 them under Section 269 of Bhartiya Nyay Sanhita, 2023

(iii) In case, the applicants misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of BNSS, is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of Bhartiya Nyaya Sanhita, 2023.

(iv) The applicants shall remain present, in person, before the trial court on the dates fixed



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for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 BNSS. If in the opinion of the trial court absence of the applicants 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 them in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice

Madhurima