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DEWANGAN**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 10323 of 2025**

Rohit Shobhwani S/o Kishor Shobhwani Aged About 24 Years R/o Bajrang Ward Bhatapara, Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

... Applicant(s)**versus**

State Of Chhattisgarh Through - Station House Officer, Police Of Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

--- Non-applicant(s)

For Applicant(s) : Mr. Anil Kumar Gulati, Advocate.

For Non-applicant(s) : Ms. Anusha Naik, Deputy Govt. Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice**Order on Board****23.02.2026**

1. This is the First bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.396/2025 registered at Police Station- Bhatapara City, District-Balodabazar-Bhatapara (C.G.) for the offences punishable under Sections 314, 317(2), 317(4), 61(2)(A), 112 of Bhartiya Nyay Sanhita and 66-C, 66-D of Information Tenchnology Act, 2000.
2. The prosecution case, in brief, is that an information was received

from the Department of Home Ministry, Government of India, wherein it was informed that a sum of Rs. 1,55,600/- had been transferred, which was suspected to be the proceeds of cyber fraud. On the basis of the said information received from the Department of Home Ministry, the FIR was registered on 14.07.2025. Thereafter, the matter was investigated by the police and during the course of investigation it was found that the bank account had been opened and used for the commission of cyber fraud. Subsequently, the applicant along with other co-accused persons was arrested for the commission of the alleged offences.

3. Learned counsel for the applicant submits that the present applicant is an innocent person and has been falsely implicated in the present case and has not acted in the manner alleged by the prosecution. It is further submitted that the applicant was acquainted with one Sonu Wadhwani, who in the month of October 2024 requested the applicant to open a bank account on the pretext that the said account was required for making payments to labourers. Believing the said representation, the applicant accompanied Sonu Wadhwani to the India Overseas Bank and opened the account, and thereafter the account details as well as the mobile number linked with the account were handed over to Sonu Wadhwani. It is submitted that the applicant received a sum of Rs. 1,000/- in lieu thereof and the said account was thereafter operated and controlled by Sonu Wadhwani, and therefore prima facie there is no involvement of the applicant in the commission of the alleged offences. It is further submitted that even if the entire prosecution

case is taken at its face value, it would reveal that the applicant was cheated by Sonu Wadhwani, who in turn was cheated by Sanjay Tharani, and the said account was ultimately being operated by Sanjay Tharani. It is also submitted that the applicant is in judicial custody since 14.07.2025 and the trial is likely to take a considerable period of time for its conclusion therefore, he prays for grant of bail.

4. Learned State counsel opposes the bail application and submits that the applicant is involved in a serious offence relating to cyber fraud, wherein an amount of Rs. 1,55,600/- has been transferred through the bank account opened and operated in the name of the present applicant. It is submitted that during the course of investigation it has been found that the bank account of the applicant was used for the commission of cyber fraud and therefore the applicant cannot escape liability merely on the ground that the account was being operated by other co-accused persons. It is further submitted that the investigation has revealed the active involvement of the applicant in the commission of the alleged offences and considering the nature and gravity of the offence, the applicant is not entitled to be released on bail.
5. In compliance with the order of this Court, the Investigating Officer has filed his personal affidavit and submitted that during the course of investigation the present applicant was summoned in connection with the bank account operated in his name and notices under Sections 35(3) and 94 of the B.N.S.S., 2023 were issued to him for interrogation and production of documents relating to the said bank

account. It is submitted that during investigation it was found that a total amount of Rs. 9,03,215/- was credited into the bank account of the present applicant within a short span of time and the said account was used for the commission of cyber fraud. It is further submitted that the applicant, in his memorandum statement, admitted that after opening the bank account he had handed over the bank kit, passbook, ATM card and SIM card to co-accused Sonu Wadhwani in lieu of Rs. 1,000/-. It is also submitted that on the basis of the material collected during investigation, the present applicant was arrested on 14.07.2025 for the commission of the alleged offences.

6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the nature and gravity of the allegations, the material available on record and also the affidavit filed by the concerned Investigating Officer, this Court finds that during the course of investigation it has been revealed that the bank account of the present applicant was used for receiving the proceeds of cyber fraud and a total amount of Rs. 9,03,215/- was credited into the said account within a short span of time, out of which a substantial amount was withdrawn by the co-accused persons. The case diary further reveals that the applicant had opened the said bank account and thereafter handed over the bank kit, passbook, ATM card and SIM card to co-accused Sonu Wadhwani in lieu of Rs. 1,000/-, which prima facie indicates his involvement in facilitating the commission of the alleged offence.

The memorandum statement and other materials collected during investigation also indicate that the said account was used for cyber fraud transactions and the explanation offered by the applicant regarding the operation of the bank account does not appear to be satisfactory at this stage.

8. Considering the seriousness of the allegations, the manner in which the bank account was used for receiving fraudulent money, this Court is of the view that the applicant was part of a well-planned criminal conspiracy. The offence appears to have been committed in an organized manner and therefore this Court is of the view that it is not a fit case to release the applicant on bail.
9. Accordingly, the bail application of the applicant- **Rohit Shobhwani**, involved in Crime No.396/2025 registered at Police Station- Bhatapara City, District- Balodabazar-Bhatapara (C.G.) for the offences punishable under Sections 314, 317(2), 317(4), 61(2) (A), 112 of Bhartiya Nyay Sanhita and 66-C, 66-D of Information Technology Act, 2000, is **rejected** at this stage.
10. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
11. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-

(Ramesh Sinha)
Chief Justice