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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 799 of 2026

Vicky Dewangan S/o Shri Ishwar Ram Dewangan Aged About 24 Years R/o
Polsay Para, District Durg (C.G.) **...Applicant**

versus

State Of Chhattisgarh Through - The Station House Officer, Police Station
Cyber Police Thana Range, District Raipur (C.G.) **...Respondent**

For Applicant : Mr. Rishi Sahu, Advocate.

For Non-Appllcant/State : Mr. S.S. Baghel, Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. The applicant has preferred this Second Bail Application under Section 483 of B.N.S.S. for grant of regular bail, as he has been arrested in connection with Crime No. 44/2025, registered at Police Station : Cyber Police Thana Range District – Raipur (C.G) for the offence punishable under Section 317(2), 317(4), 317(5), 111 read with Section 3(5) of BNSS.
2. The earlier bail application of the applicant was rejected on merits by



this Hon'ble Court vide order dated 10.07.2025 passed in MCRC No. 5363 of 2025.

3. The prosecution story, in brief, is that the applicant was working as an employee of Utkarsh Small Finance Bank, Civil Lines-3 Branch, Raipur. On 20.01.2025, Police Station Cyber Range, Raipur received information through the portal of the Ministry of Home Affairs, Government of India, regarding misuse of certain bank accounts for cyber fraud amounting to ₹36,48,448/-. Upon taking cognizance, the police conducted an inquiry into about 104 bank accounts allegedly involved in the cyber cheating. During the inquiry, the applicant and other bank employees were questioned, and they provided details of the account holders and explained the procedure adopted for opening the accounts, stating that the accounts were opened in accordance with bank norms and prescribed procedures. Subsequently, the police verified the addresses of the account holders and interrogated some of them. On the basis of the statements of certain account holders, it was alleged that the applicant had received money from one Yash Bhatia and his associates, who were allegedly involved in opening bank accounts for illegal use. On these allegations, an FIR was registered against the account holders and others, and thereafter the applicant was called again and arrested for his alleged involvement in the commission of the offence.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. This is the second bail application of the applicant; however, the co-accused Om Arya has already been granted bail by this Hon'ble Court vide order dated 27.11.2025, and



the case of the present applicant stands on similar footing. The applicant has neither committed nor participated in any act constituting the alleged offences, and the material collected by the prosecution does not disclose any *prima facie* case against him. The applicant is a young person aged about 24 years, and prolonged incarceration would seriously prejudice and frustrate his future. He has been in judicial custody since 20.02.2025, the charge-sheet has already been filed, and the trial is likely to take considerable time for its conclusion. The applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding, and he undertakes to abide by all conditions imposed by this Hon'ble Court, therefore, the applicant is also entitled to be released on regular bail.

5. On the other hand learned State counsel opposes the bail application of the applicant and submits that the charge-sheet has been filed in the present case.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case, it is noted that this is the applicant's second bail application and that the earlier application, MCRC No. 5363/2025, was rejected on merits vide order dated 10.07.2025. It is further considered that the applicant has been in judicial custody since 20.02.2025 and has thus undergone a substantial period of incarceration of nearly 11 months. It is also relevant that co-accused Om Arya has already been granted bail by this Hon'ble Court vide order dated 27.11.2025 passed in MCRC No.



9388 of 2025. Further, while the bail applications of some co-accused were allowed on the ground of being women accused, the bail applications of other co-accused were rejected; however, the rejection orders in respect of four co-accused were challenged before the Hon'ble Supreme Court in SLP Nos. 15006/2025, 12849/2025, 15613/2025 and 17452/2025, wherein the Hon'ble Supreme Court granted bail vide order dated 19.11.2025. It is also taken into account that the present applicant has no criminal antecedents. In view of the aforesaid facts and on the ground of parity, this Court is of the considered opinion that the present applicant also deserves to be released on bail.

8. Let the Second Bail of the Applicant – **Vicky Dewangan**, involved in Crime No. 44/2025, registered at Police Station : Cyber Police Thana Range District – Raipur (C.G) for the offence punishable under Section 317(2), 317(4), 317(5), 111 read with Section 3(5) of BNSS, be released on bail on 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 him, in accordance



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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.** 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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