



2025:CGHC:61829



2026:CGHC:9561

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 10429 of 2025

Mishri Lal Gupta S/o Radheshyam Gupta Aged About 28 Years R/o Village Pahadi, Post Pahadi, Police Station- Shahpur, District- Riwa, M.P., Presently R/o Care / Of Radheshyam Gupta, Sahupara, Near Shivmandir, Tatibandh, Raipur, District : Raipur, Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Police Station Telibandha, Raipur, District – Raipur, Chhattisgarh.

... Respondent(s)

For Applicant(s) : Mr. Arun Kukreja, Advocate.

For Respondent(s) : Ms. Vaishali Mahilong, Dy. Govt. Advocate.

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

23.02.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No. 610/2025, registered at Police Station Telibandha, District – Raipur (CG) for the offence punishable under Section 318(4) of the BNS.
2. The prosecution story in brief, is that vide letter dated 12.09.2025 issued by the Police Headquarters, Naya Raipur, it was communicated that in the District certain Point of Sales (POS) operators were fraudulently issuing SIM cards, which were being used not only in other offences but also in committing cyber crimes in India from foreign countries. In the said letter, the mobile numbers 8964037895, 8964062404, 8889254312 and 118 other mobile numbers were identified. Upon verification of identity documents, namely (1)



Devanath Bairagi, resident of Telibandha, Raipur; (2) Hitesh Sahu, resident of Fafadih, Raipur; and (3) Shankar Lal Sahu, resident of Mohadapara, Raipur, they were summoned to the Police Station. In their statements, they disclosed that, without their knowledge, the operator of Mishri Mobile Shop had misused their documents and activated the aforesaid mobile numbers in the names of other persons and sold the same to third parties, thereby wrongly utilizing their identity documents. They expressed their desire for legal action in this regard. Thereafter, during investigation, it was found that POS ID 37761997 (MISHUPTA), Mobile No. 9826808059, Mishri Mobile Shop, had dishonestly and fraudulently used the identity proofs and photographs of Devanath Bairagi, Shankar Lal Sahu, Hitesh Sahu and other persons to activate the said 121 mobile numbers. As the act was found to constitute an offence under Section 318(4) of the BNS, a crime was registered against POS ID 37761997 (MISHUPTA) and Mobile No. 9826808059, Mishri Mobile Shop, Telibandha, Raipur, and the matter was transferred to the Range Cyber Police Station, Telibandha, Raipur for investigation.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. It is further submitted that the charge-sheet has been filed in the present case. The applicant is in jail since 08.10.2025 and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State counsel vehemently opposes the bail application and submits that the present applicant, namely Mishri Lal Gupta, is the proprietor/operator of Mishri Mobile Shop and was



functioning under POS ID 37761997 (MISHUPTA), through which as many as 121 SIM cards were activated by fraudulently misusing the identity documents and photographs of innocent persons without their knowledge or consent. It is contended that the material collected during investigation clearly establishes that the applicant, in his capacity as an authorized Point of Sales agent, abused the trust reposed in him by the telecom authorities and deliberately activated multiple mobile connections on the basis of forged or dishonestly procured KYC documents. The statements of Devanath Bairagi, Hitesh Sahu and Shankar Lal Sahu categorically reveal that their identity documents were utilized without their knowledge and that the SIM cards were subsequently sold to unknown persons, therefore, the applicant is not entitled for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts & circumstances of the case, nature & gravity of the offence, upon perusal of the case diary and material available on record, this Court finds that there are specific and serious allegations against the applicant Mishri Lal Gupta, who, being an authorized POS operator, is alleged to have dishonestly and fraudulently used the identity documents and photographs of several individuals for activating 121 SIM cards without their knowledge and thereafter facilitating their use by unknown persons. The statements of the affected individuals prima facie substantiate the allegation of misuse of KYC documents, and the investigation indicates that such SIM cards were used in the commission of cyber offences, therefore, this Court is



of the opinion that is not a fit case to enlarge the applicant on regular bail.

7. Accordingly, the bail application of applicant- **Mishri Lal Gupta**, involved in Crime No. 610/2025, registered at Police Station Telibandha, District – Raipur (CG) for the offence punishable under Section 318(4) of the BNS, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed with the trial and concluded the same expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice

Rajshekhar