



2026:CGHC:3973



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No.222 of 2026

Salim Javed S/o Late Abdul Sattar Aged About 65 Years Caste Muslim,
Occupation Business R/o Mohalla Mominpura (Parradand) P.S. And
Tehsil- Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

.... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station
Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

... Non-applicant

For Applicant :Mr. TK Jha, Advocate.

For Non-applicant/State :Mr. Soumya Rai, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. The applicant has preferred this 2nd 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.659/2024 registered at Police Station – Ambikapur, District Surguja (C.G.), for the offence under Sections 318(4), 338, 336(3) and 340(2) of the BNS, 2023. 1st bail application was rejected on merits vide order dated 18.11.2025 passed in M.Cr.C. No.9272 of 2025.

2. The prosecution case, in brief, is that the applicant was arrested on 11.09.2025 by Police Station Ambikapur, District Surguja, FIR was lodged by the Tahsildar, Ambikapur, alleging that a forged order dated 20.10.2021 purportedly passed by the Board of Revenue in Revenue Case No. RN/16/R/A-6/275/2021 was procured by co-accused Mohd. Dastgir and handed over to co-accused Mohd. Murtza, power of attorney holder of co-accused Meena Gupta. It is alleged that Meena Gupta paid a sum of Rs.8 lakhs for the said forged order, on the basis of which her name was mutated in the revenue records. The applicant is alleged to have acted as a mediator between Meena Gupta and Mohd. Dastgir by collecting and handing over the said amount. Based on the above allegations, the aforesaid offences have been registered against the present applicant. Hence, this application.



3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in the aforesaid case. It is submitted that the applicant is suffering from serious medical ailments, his left kidney is functioning at 89.86%, whereas the right kidney is functioning only at 10.14%, for which he is undergoing continuous treatment at Hyderabad, and the treating doctor has advised his physical appearance for follow-up every six months. The applicant is also suffering from diabetes, hypertension, piles, asthma and gall-bladder stones. He further submits that during judicial remand on 03.12.2025, owing to his deteriorating medical condition, the applicant was shifted to the ICU for three days, and as per the government doctor, he requires advanced medical care, which is available only in well-equipped hospitals. It is further submitted that no recovery of any money has been made from his possession, nor is he the beneficiary of the alleged transaction. Co-accused persons have already been granted bail vide orders dated 15.10.2025 passed in MCRC No. 8222/2025 and dated 02.04.2025 passed in MCRCA No. 451/2025, therefore, the applicant may also be granted bail on the grounds of parity.
4. On the other hand, learned State Counsel opposes the bail application and submits that looking to the fact that the 1st bail application of the applicant was rejected on merits, 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 overall facts and circumstances of the case, submission of learned Counsel for the parties, further considering that the ailment of the applicant has been verified by the concerned Medical Board and its report dated 17.01.2026 goes to show that the applicant is suffering from kidney ailment and one of his kidneys has failed, further considering that co-accused have already been granted bail, the pre-trial detention and this is repeat bail application, without further commenting anything on merits, I am inclined to grant bail to the applicant.
7. Let applicant- **Salim Javed** involved in Crime No. 659/2024 registered at Police Station – Ambikapur, District Surguja (C.G.), for the offence under Sections 318(4), 338, 336(3) and 340(2) of the BNS, 2023 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