



2026:CGHC:24122

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 769 of 2026**

Ajay Kumar Nag S/o Punau Ram Nag Aged About 40 Years R/o 17 Ka Ward
No. 12 Vishrampuri District- Kondagaon, (C.G.) 494397

--- Applicant**versus**

State Of Chhattisgarh Through Station House Officer P.S. Keshkal Thana,
District – Kondagaon (C.G.)

--- Non-applicant**Along with****MCRCA No. 772 of 2026**

Sunit Kishore Barwa S/o- Stanislas Barwa, Aged About 41 Years R/o- House
No. 58, Nayapara, Charbhata, Gram Panchayat - Charbhata Nayapara, Post
- Arandi, Keshkal District- Kondagaon (C.G.) 494228

---Applicant**Versus**

State Of Chhattisgarh Through Station House Office, P.S. Keshkal Thana,
District – Kondagaon (C.G.)

---- Non-applicant

RAJSHEKHAR
SONI

Digitally signed
by
RAJSHEKHAR
SONI

For Applicant : Mr. Pushp Kumar Gupta, Advocate.

For Non-applicant/State : Mr. Nitansh Jaiswal, Dy. Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****16.06.2026**

1. This anticipatory bail application under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 has been filed by the applicants, who
are apprehending their arrest in connection with Crime No. 38/2026
registered at Police Station – Keshkal Thana, District – Kondagaon
(C.G.) for the offence punishable under Section 420 read with Section

34 of the IPC.

2. The case of the prosecution, is that complainant has filed a written complaint against the Applicant that he is posted as a Headmaster in the Development Block- Kehskal and that he has a prior acquaintance with the Applicant, as the Applicant also posted as a teacher in the Keshkal Block. It is alleged that, owing to this prior acquaintance with the Applicant, the Complainant was assisted in securing loans from various banks and subsequently 60-65% of the sanctioned loan amount was withdrawn from the respective loan accounts and deposited into the Complainant's savings account, following which the Applicant facilitated the transfer of funds from the Complainant's savings account into the bank accounts of various firms and other persons. The Complainant further alleges amount to the tune of INR 5,74,800/- was deposited into his savings account through bank transfer. However, subsequently, loan instalments began to be deducted from the Complainant's savings account- deductions which exceed his entire monthly salary. Consequently, the Complainant being unable to repay these installments has suffered significant financial and mental distress. The complainant alleges that the Applicant committed a criminal act of fraud against the complainant by facilitating the sanctioning of loans from various banks in the complainant's name, subsequently withdrawing 60-65% of the loan amount into the complainant's own savings account, and then depositing these funds into the bank accounts of proprietorship firms and other individuals.
3. It has been argued by the learned counsel for the applicants that

almost the entire amount originally invested in the business by the complainant has already been transferred back to the Complainant through various bank transactions prior to the registration of the FIR. The majority of the funds were transferred back into the Complainant's bank account through various bank transactions prior to the filing of the complaint. To be precise, during the period from 22.04.2024 till 08.07.2025, the complainant has already been repaid Rs.11,10,654/- out of the alleged amount of Rs.12,04,000/- invested by the complainant, and all such account-wise transactions were executed by mutual consent through entirely formal and lawful banking channels. Therefore, he prays for grant of anticipatory bail to the applicants.

4. On the other hand, learned State counsel opposes the bail application and submits that the applicants are not entitled for grant of anticipatory bail in this case.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicants, and the fact that the he majority of the funds were transferred back into the Complainant's bank account through various bank transactions prior to the filing of the complaint. To be precise, during the period from 22.04.2024 till 08.07.2025, the complainant has already been repaid Rs.11,10,654/- out of the alleged amount of Rs.12,04,000/- invested by the complainant, and all such account-wise transactions were executed by mutual consent through entirely formal and lawful banking

channels, at this stage without expressing any opinion on merits, this Court is of the view that the applicants are entitled to be granted anticipatory bail in this case.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Ajay Kumar Nag** and **Sunit Kishore Barwa** on executing a personal bond with one surety each in the like sum to the satisfaction of the arresting Officer, they shall be released on bail on the following conditions:-

(a) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.

(b) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(d) The Applicant and the surety shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) The Applicant shall not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
Chief Justice