



CGHC010206792026



2026:CGHC:29128

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 4919 of 2026**

Prithavi Kumar @ Rahul S/o Heera Ram, Aged About 20 Years R/o Village Dolikala, Tehsil Pachpadra, P. S. Kalyanpur, Dist- Balotra-Barmer, Rajasthan

--- Applicant(s)**versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Vidhan Sabha, Distt- Raipur (C.G.)

--- Respondent(s)**MCRC No. 5734 of 2026**

Narsingh Rao S/o Nenaram Aged About 24 Years R/o Village Bhopalgarh, Behind Samaj Kalyan Hostel P.S. Bhopalgarh, District- Jodhpur, Rajasthan At Present R/o Subhavato Ki Dhani Bhaskar Nagar, Khema Ka Kuan, Near Sector- 23 Chauraha District- Jodhpur, Rajasthan

---Applicant(s)**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Vidhansabha District- Raipur (C.G.)

--- Respondent(s)

For Applicant in MCRC: Mr. Pragalbha Sharma, Advocate.
No.4919 of 2026

For Applicant in MCRC: Mr. Sanjay Agrawal, Advocate.

No.5734 of 2026

For Respondent(s) : Ms. Vaishali Mahilong, Deputy Government
Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

10.07.2026

1. The applicants have preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as they have been arrested in connection with Crime No. 08/2026, registered at Police Station Vidhansabha District- Raipur (CG) for the offence punishable under Sections 318(4), 3(5) of BNS.
2. The prosecution story in brief, is that the complainant, Dharmendra Singh, Director of M/s Jai Ambe Emergency Services India Pvt. Ltd., lodged a written complaint alleging that on 03.01.2026 he received an SMS containing a fake transport e-challan link on his mobile phone. Believing it to be genuine, he opened the link, entered his corporate credit card details and the OTP for payment of an alleged traffic penalty of Rs. 1,200/-. Thereafter, he discovered that an amount of Rs. 4,52,132/- had

been fraudulently debited from his corporate credit card through three online transactions. On the basis of the said complaint, Crime No. 06/2026 was registered at Police Station Vidhansabha, Raipur, for offences punishable under Sections 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. During the course of investigation, the statements of the accused persons were recorded, they were arrested, and upon completion of the investigation, a charge-sheet was filed before the competent Court. The prosecution alleges that the applicant was involved in the commission of the cyber and economic offence and that technical evidence collected during investigation *prima facie* establishes his involvement in the alleged fraudulent transactions. Hence, the bail application.

3. Learned counsel for the applicant in MCRC No.4919 of 2026 submits that the applicant is innocent and has been falsely implicated in this case. He further submit that the mobile number allegedly used in the commission of the offence was not registered in the name of the applicant but belonged to another person and was only borrowed by him for personal use. The applicant is a young college student who had no knowledge of any alleged cyber fraud, nor is there any material to show that he created the phishing link, contacted the complainant, or induced him to part with his money. He also submits that no part of the alleged cheated amount or any incriminating article has been

recovered from the possession of the applicant. The allegation regarding receipt of commission is based solely on the memorandum statement recorded during police custody, without any independent corroborative evidence. Moreover, the applicant's mobile phone and SIM card have already been seized, the charge-sheet has been filed, and, therefore, there is no possibility of tampering with the electronic evidence. He lastly submits that the learned Court below rejected the bail application mainly on the ground of rejection of bail of a co-accused, without appreciating that the role attributed to the present applicant is distinct. The alleged offence is triable by a Judicial Magistrate First Class, the trial is likely to take considerable time, and continued incarceration of the applicant would serve no useful purpose. The applicant is in jail since 12.02.2026 and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

4. Learned counsel for the applicant in MCRC No.5734 of 2026 submits that the applicant is innocent and has been falsely implicated in this case. He further submit that the applicant has been implicated only on the ground that one of the SIM cards used in the alleged offence was registered in his name. The applicant had already sold the said SIM and had no knowledge of its alleged misuse. He is not named in the FIR, and his implication arose only during the course of investigation. He also submits that part of the alleged cheated amount or any gold coins

has been recovered from the possession of the applicant. There is no material to show that the applicant had any direct connection with the complainant, the phishing link, or the alleged fraudulent transactions, which were allegedly carried out by the co-accused. He later submits that the applicant voluntarily appeared before the investigating agency and cooperated with the investigation, demonstrating his bona fides. Having regard to his conduct and the absence of any direct incriminating material against him, there is no likelihood of his absconding or misusing the liberty if released on bail. The applicant is in jail since 05.02.2026 and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.

5. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed in the present case before the competent Court. She further submits that the applicant was allegedly involved in the commission of a cyber fraud whereby the complainant was induced to disclose his credit card details and OTP through a fake transport e-challan link, resulting in wrongful loss of Rs. 4,52,132/-. During the course of investigation, the applicant was allegedly found to be connected with the mobile number used in the offence, and the prosecution claims that technical evidence and other material collected during investigation *prima facie* establish his involvement in the alleged cyber and economic offence. Therefore, the applicants are not entitled for grant of bail.

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 offence, the material available on record, and the fact that the applicants are alleged to have been involved in the commission of a well-planned cyber and economic offence resulting in wrongful loss of Rs. 4,52,132/- to the complainant, this Court is of the *prima facie* opinion that sufficient material exists indicating their involvement in the alleged crime. The investigation has revealed the applicants' connection with the mobile number allegedly used in the commission of the offence, and the charge-sheet discloses material supporting the prosecution case. The offences alleged are not only economic in nature but also involve cyber fraud, which has a far-reaching impact on society and undermines public confidence in digital financial transactions. Therefore, having regard to the seriousness of the allegations, the nature of the offence, the *prima facie* material collected during investigation, and the overall facts and circumstances of the case, this Court is of the opinion that it is not a fit case to enlarge the applicants on regular bail.
8. Accordingly, the bail application of applicants-**Prithavi Kumar @ Rahul** and **Narsingh Rao** involved in Crime No. 08/2026, registered at Police Station Vidhansabha District- Raipur (CG) for the offence punishable under Sections 318(4), 3(5) of BNS, is

rejected.

9. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
10. 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**

Akhil