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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4999 of 2026

- Gaurav Agrawal S/o Pradeep Agrawal Aged About 20 Years Dadwara, Machis Factory Gully No.3, Ward No. 63, Kota, Police Station Bhimganj, District Kota, Rajasthan, Rajasthan

... Applicant(s)

versus

- State of Chhattisgarh Through Police Station-Chhura, District-Gariyaband , Chhattisgarh

... Respondent(s)

For Applicant(s) : Mr. Mohammad Afroz Athar, Advocate
For Respondent(s) : Ms. Palak Dwivedi, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

09.07.2026

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.76/2026, registered at Police Station-Chhura, District – Raipur (C.G.) for the offences punishable under Sections 204, 205, 308(2), 319(2) of BNS, 2023 and Section 66(D) of IT Act.
2. The prosecution story in brief, is that, the complainant received a call from 07455068762 in her number; and the caller said that she was Inspector Ishita from ATS control room and the caller told the

complainant to lodge a complaint because her Mobile Number was being misused after which the complainant a video call in which the complainant saw a person in police uniform, who told his name was Sub Inspector Ravi Kumar and further told the complainant to narrate her complaint thereafter the complainant narrated as the so called 'Inspector Ishita' had told. Thereafter the complainant was told that her mobile number is being misused by a person named 'Harish Kartik' and further the complainant was told that this Harish Kartik has been misusing the Complainant's mobile number in Money Laundering and Terrorist funding and there is around 2.5 Crore Rupees in it. The Complainant was further informed that there is a court order against the complainant; and the complainant would have to be interrogated as a suspect for which The DSP would be there to interrogate her for which the complainant was instructed to keep every number of her family online and was further instructed to keep this a secret from other member of her family otherwise they would also have to join the investigation.

3. It was argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It has been argued by learned counsel for the applicant that the applicant is a friend of one 'Kavez Sharma' on whose request the applicant gave his account number in which that Kavez Sharma deposited Rupees 7 Lakh and 10 Thousand. The applicant withdrew the money and gave to his friend. As a gift Kavez Sharma has only given the applicant Rs.2000/-. He further submits that applicant has no criminal antecedent and he is in jail since 09.05.2026, charge-sheet has been filed 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 counsel for the State opposed the bail application and submitted that the applicant is involved in a well-organized cyber fraud whereby the complainant was induced to believe that he was under investigation by law enforcement authorities and was thereby deceived into acting under fear and coercion. It was further submitted that the investigation has revealed the applicant's involvement in the commission of the alleged offence. According to the prosecution, an amount of ₹7,10,000/- was credited to the applicant's bank account, which he subsequently withdrew and handed over to his friend, Kavez Sharma. It was further contended that, in consideration thereof, Kavez Sharma paid the applicant only ₹2,000/- as a reward. In view of the applicant's alleged role in facilitating the fraudulent transaction and the gravity of the offence, learned State counsel submitted that the applicant is not entitled to the concession of regular bail and prayed for rejection of the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Having considered the rival submissions advanced by learned counsel for the parties, this Court has perused the case diary and the material available on record. Prima facie, the allegations disclose the commission of a well-planned cyber fraud wherein the complainant was allegedly impersonated by persons posing as police officials and induced to act under fear and coercion. The material collected during the investigation, at this stage, indicates that an amount of ₹7,10,000/- was credited to the applicant's bank account and was subsequently withdrawn by him and allegedly handed over to co-accused Kavez Sharma. Considering the nature and gravity of the

allegations, the manner in which the offence is alleged to have been committed, the applicant's alleged role in facilitating the transfer of the defrauded amount, and without expressing any opinion on the merits of the case, this Court is not inclined to extend the benefit of regular bail to the applicant at this stage.

7. Accordingly, the bail application of applicant- **Gaurav Agrawal**, involved in Crime No.76/2026, registered at Police Station- Chhura, District – Raipur (C.G.) for the offences punishable under Sections 204, 205, 308(2), 319(2) of BNS, 2023 and Section 66(D) of IT Act, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to provide 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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