



CGHC010217842026



2026:CGHC:28949

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 5104 of 2026**

Poshan Ojha S/o Ramesh Ojha Aged About 30 Years R/o Subhash Nagar K.K. Road District Raipur C.G.

.. Applicant(s)**versus**

State Of Chhattisgarh Through- Police Station Azad Chowk District Raipur C.G.

... Non-Applicant(s)

For Applicant : Mr. Pragalbha Sharma, Advocate.

For Non-Applicant/State : Mr. S.S. Baghel, Government Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****10.07.2026**

- 1 The applicant has preferred this First 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.283/2025, registered at Police Station – Azad Chowk, Raipur, District Raipur (C.G.) for the offence punishable under Sections 317(2), 317(4), 317(5), 111 and 3(5) of the BNS, 2023.
- 2 Case of the prosecution, in brief, is that the Government of India, Ministry of Home Affairs has established the National Cyber Crime Reporting Portal for reporting cyber frauds committed across the country. During scrutiny of the information received through the said

portal, it came to the notice of the Cyber Range, Raipur that 17 bank accounts opened in the South Indian Bank, Ramsagarpara Branch, Raipur were allegedly being used for receiving the proceeds of cyber fraud. On the basis of the information received from the Police Headquarters, Raipur, Crime No.283/2025 was registered against the account holders for the offences punishable under Sections 317(2), 317(4), 317(5), 111 and 3(5) of the BNS, and investigation was commenced. During the course of investigation, it was found that an amount of ₹2,11,10,263/- obtained through cyber fraud had been credited into the bank account of co-accused Santosh Kumar bearing Account No.0433053000007320 maintained with South Indian Bank. It is further alleged that during investigation, the involvement of the present applicant surfaced on the basis of the memorandum statement of co-accused Daitari Deep, wherein it was disclosed that the present applicant had induced him to open a bank account in South Indian Bank on the assurance of payment of ₹1,500/- and thereafter got the said account opened and supplied the same for illegal use. It is further alleged that the present applicant also induced several other persons to provide their Aadhaar Cards and PAN Cards for opening bank accounts and acted as an intermediary in supplying such mule accounts to the members of the organized cyber fraud syndicate for monetary consideration. After completion of investigation, supplementary charge-sheet has been filed before the competent Court.

3 Learned counsel for the applicant submits that the present applicant

is innocent and has been falsely implicated in the instant case. He submits that there is no material available on record to establish the direct involvement of the applicant in the commission of the alleged cyber fraud. It is further submitted that mere linkage of a bank account or financial transaction is not sufficient to constitute the ingredients of the offences alleged against the applicant. Learned counsel submits that the prosecution has not collected any evidence to demonstrate that the applicant had communicated with any victim, induced any person to part with money, operated any fraudulent platform or personally received the cheated amount. It is further submitted that all the relevant bank records, electronic data and documentary evidence are already in possession of the investigating agency and no further custodial interrogation of the applicant is required. Learned counsel further submits that there is no legal material available on record to constitute the offences alleged against the applicant and he has been implicated merely on the basis of the memorandum statements of the co-accused. He further submits that the applicant is in judicial custody since 21.12.2025, the charge-sheet has already been filed and the conclusion of the trial is likely to take considerable time. It is also submitted that the applicant has no previous criminal antecedent and similarly situated co-accused persons have already been enlarged on bail by this Court in M.Cr.C. Nos.613/2026, 1086/2026 and 1275/2026. Therefore, on the ground of parity, prolonged incarceration and filing of the charge-sheet, it is prayed that the applicant be enlarged on regular bail.

- 4 On the other hand, learned State Counsel appearing for the State opposes the bail application and submits that there is sufficient material available on record to prima facie establish the active involvement of the present applicant in the commission of the alleged offence. He submits that during the course of investigation it was revealed that the present applicant was actively involved in inducing persons to open bank accounts on the assurance of monetary consideration and thereafter arranging and supplying such bank accounts to the members of the organized cyber fraud syndicate. It is further submitted that the memorandum statements of the co-accused as well as that of the present applicant, bank records, KYC documents, verified online transaction details and other material collected during investigation clearly establish his complicity in the crime. Learned State Counsel further submits that huge amounts obtained through cyber fraud were routed through the mule accounts arranged by the accused persons and the applicant was one of the beneficiaries of the organized cyber fraud racket. It is further submitted that although certain co-accused persons have been granted bail by this Court, the case of the present applicant stands on a different footing in view of his distinct role disclosed during investigation. Therefore, considering the nature and gravity of the offence, the organized manner in which the crime has been committed and the material available against the applicant, he prays for rejection of the bail application.
- 5 I have heard learned counsel for the parties and perused the documents available on record.

- 6 In compliance with the order passed by this Court, the concerned Investigating Officer has filed his personal affidavit disclosing the evidence collected during the course of investigation against the present applicant. The Investigating Officer has stated that information was received through the National Cyber Crime Reporting Portal regarding 17 bank accounts opened in South Indian Bank, Ramsagarpara Branch, Raipur, which were being used as mule accounts for receiving the proceeds of cyber fraud. During investigation, it was found that mule bank account No.0433053000007409 standing in the name of co-accused Karan Singh had received fraudulent transactions amounting to ₹46,61,115/- within a short span of time and that three cyber fraud complaints from different States were linked with the said account. The affidavit further discloses that co-accused Karan Singh, in his memorandum statement, stated that he had sold the said bank account, bank kit, ATM card and other documents to co-accused Daitari Deep for monetary consideration. Thereafter, on the basis of the memorandum statement of co-accused Daitari Deep, the involvement of the present applicant surfaced, wherein it was disclosed that the present applicant and his wife induced him to open the bank account on the assurance of payment of ₹1,500/- and thereafter obtained the bank account and related documents. The affidavit further reveals that the present applicant also persuaded several other persons to provide their Aadhaar Cards and PAN Cards for opening bank accounts and acted as an intermediary in arranging and supplying such accounts to other

accused persons for monetary gain. It is further disclosed that the applicant himself admitted during interrogation that he had sold his own bank account to another co-accused for monetary consideration and had facilitated opening of several other bank accounts which were subsequently used for routing the proceeds of cyber fraud. According to the Investigating Officer, the statements of the accused persons, seizure of incriminating documents, bank records and verified online transaction details prima facie establish the active involvement of the present applicant in the organized cyber fraud racket. Though the applicant has no previous criminal antecedent, the Investigating Officer has specifically opined that the applicant was an active participant and beneficiary of the organized cyber fraud syndicate and that his release on bail may adversely affect the trial and facilitate repetition of similar offences.

- 7 On a pointed query being made by this Court with regard to the present status of the trial, learned counsel for the applicant fairly submits that no order-sheets of the trial Court have been annexed along with the present bail application to indicate the present stage of the trial. In absence of any material regarding the progress of the trial, this Court is unable to examine the contention of the applicant that the conclusion of the trial is likely to take considerable time.
- 8 Taking into consideration the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, the material collected during the course of investigation, the supplementary charge-sheet filed before the competent Court and more particularly, the affidavit filed by the Investigating Officer

pursuant to the order of this Court, this Court is of the considered view that no case for grant of bail is made out. The material available on record prima facie indicates that the present applicant had an active role in facilitating the commission of organized cyber fraud by inducing persons to open bank accounts on the assurance of monetary consideration and thereafter arranging and supplying such mule bank accounts to the members of the cyber fraud syndicate. The investigation further reveals that the applicant not only facilitated the opening of such bank accounts but also persuaded several other persons to provide their Aadhaar Cards and PAN Cards for opening additional accounts, thereby acting as an intermediary in the organized cyber fraud network. The memorandum statements of the co-accused as well as that of the present applicant, coupled with the bank records, KYC details, seizure of incriminating material and verified online transaction details, prima facie establish his involvement in the crime. The allegations disclose participation in an organized cyber fraud racket involving victims from different States and huge financial transactions, which cannot be viewed lightly thus, this Court is not inclined to grant bail to the applicant.

9 Accordingly, the bail application of the applicant – **Poshan Ojha**, involved in Crime No.283/2025, registered at Police Station – Azad Chowk Raipur, District- Raipur (C.G.) for the offence punishable under Sections 317(2), 317(4), 317(5), 111, 3(5) of BNS, 2023, is **rejected**.

10 Needless to say that the trial Court concerned is at liberty to

proceed and conclude the trial expeditiously.

- 11 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**

Kunal