



2026:CGHC:25627

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5382 of 2026

Abhishek Pradhan S/o Rajbihari Pradhan Aged About 29 Years R/o New Shanti Nagar, Near Old Pipe Factory, Shankar Nagar, Raipur, District Raipur Chhattisgarh

... Applicant

versus

State of Chhattisgarh Through Police Station Moudhapara, District Raipur Chhattisgarh

... Non-Applicant

For Applicant	: Mr. Shikhar Agnihotri, Advocate
For Non-Applicant/State	: Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

23.06.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 233/2025 registered at Police Station- Moudhapara, Raipur, District Raipur, (C.G.) for the offence punishable under Section 316(4) of the Bharatiya Nyaya Sanhita, 2023.
2. The case of the prosecution, in brief, is that the complainant, Rajesh Agarwal, is the proprietor of a sanitary ware shop namely Ashok

RAHUL
DEWANGAN

Digitally
signed by
RAHUL
DEWANGAN

Brothers situated at M.G. Road, Moudhapara, Raipur, near J.B. Mall. The applicant/accused, Abhishek Pradhan, had been working as a salesman and recovery agent in the said establishment for the last 4-5 years and had gained the confidence and trust of the complainant. It is alleged that on the relevant date, the complainant, through another employee namely Jeevan Baghel, handed over a sum of ₹1,95,000/- in cash to the applicant for depositing the same in the complainant's current account bearing No. 134905001460 maintained with ICICI Bank, M.G. Road Branch, Raipur. However, instead of depositing the said amount, the applicant dishonestly misappropriated the money and utilized it for his personal purposes without the knowledge or consent of the complainant. Upon verification of the accounts and bank records, the complainant noticed discrepancies in the transaction and found that the purported bank deposit slip for Rs.1,95,000/- was neither signed nor sealed by the bank authorities. On further inquiry, it was revealed that the amount had never been deposited in the bank account. Thus, prima facie, the material available on record discloses the involvement of the applicant in the commission of an economic offence involving criminal breach of trust and misappropriation of funds, pursuant to which the FIR was registered and the applicant was arrested. Hence, this bail application.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that the allegations levelled against the applicant are false, baseless and do not constitute the ingredients of the alleged

offences. He further submits that the investigation has been completed and the charge-sheet has already been filed, yet no cogent documentary evidence has been collected by the prosecution to establish the alleged misappropriation of the amount of Rs.1,95,000/-. It is argued that neither any bank statement nor any account books have been produced to substantiate the allegation that the said amount was entrusted to the applicant and not deposited in the complainant's account. It is further submitted that the applicant had been working as a salesman and recovery agent in the complainant's establishment for the last four to five years and had maintained an unblemished service record, which itself demonstrates the falsity of the allegations. It is also submitted that the applicant is a permanent resident of the address mentioned in the cause title, there is no likelihood of his absconding or tampering with the prosecution evidence. He further submits that the applicant has no previous criminal antecedents, the charge-sheet has been filed, he is in jail since 12.03.2026, 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 State counsel opposes the bail application and submits that the charge-sheet has been filed before the competent Court. She further submits that the applicant has committed a serious economic offence involving criminal breach of trust and misappropriation of his employer's money. It is contended that the applicant was entrusted with a sum of Rs.1,95,000/- for depositing the same in the complainant's bank account, however,

instead of discharging his duty, he dishonestly misappropriated the amount for his personal use. She further submits that the applicant had gained the confidence of the complainant during his long tenure of service and abused such trust for wrongful gain. The material collected during investigation *prima facie* discloses the involvement of the applicant in the commission of the alleged offence, and considering the nature and gravity of the allegations as well as the amount involved, it is prayed that the applicant does not deserve the benefit of bail and the application is liable to be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case that though the allegations against the applicant are that the applicant is being a trusted employee of the complainant, he was entrusted with Rs.1,95,000/- for depositing the same in the complainant's bank account, and instead of depositing the amount, he dishonestly misappropriated the money and utilized it for his personal use, but it is to be noted that the applicant is in jail since 12.03.2026, the charge-sheet has already been filed before the competent Court, he has no previous criminal antecedents, and the trial is likely to take considerable time for its conclusion. Therefore, without commenting upon the merits of the case and taking into consideration the overall facts and circumstances of the case, this Court is of the considered view that the present applicant is entitled to be released on regular bail in this case.

7. Accordingly, the bail application of the applicant is **allowed**. Let the applicant - **Abhishek Pradhan**, involved in Crime No. 233/2025 registered at Police Station- Moudhapara, Raipur, District Raipur, (C.G.) for the offence punishable under Section 316(4) of of the Bharatiya Nyaya Sanhita, 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 provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Rahul Dewangan