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2026:CGHC:27480

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1481 of 2026

1 - Manikchand Yadav S/o- Ganeshwar Yadav, Aged About 29 Years
R/o- Village Chhatasarai, Police Station Bagbahar, District- Jashpur
(C.G.)

... Appellant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station
Bagbahar, District- Jashpur (C.G.)

... Respondent

For Appellant : Mr. Ashish Gupta, Advocate

For Respondent/State : Mr. Rohitashva Singh, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

03/07/2026

1. This appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the SC/ST Act") has been preferred by the appellant against the order dated 27.04.2026 passed by the Special Judge, the SC/ST Act, Jashpur, District Jashpur (C.G.) whereby the bail application filed by the appellant under Section 483 of BNSS in connection with Crime No.173/2023 registered at Police Station Bagbahar, District Jashpur (C.G.) for the offence punishable under Sections 409,

420, 467, 468 of IPC and Section 3 (2)(v) of the SC/ST Act has been rejected.

2. As per the prosecution case, on 13.10.2023, the complainant Alil Toppo lodged a report at Police Station Bagbahar to the effect that on 26.01.2021, for the purpose of agricultural work, he purchased a new Mahindra tractor from Bhatia Mahindra Showroom, Raigarh Road, Patthalgaon for a sum of Rs.6,20,000/-. At the time of purchase of the tractor, he paid Rs.1,10,000/- and got the remaining amount of Rs.5,10,000/- financed from L&T Finance Company, Branch Raigarh. The complainant was required to repay the said loan amount to L&T Finance Company, Branch Raigarh in six installments, out of which five installments were of Rs.1,28,400/- each and one installment was of Rs.100/-. It is alleged that the complainant paid Rs.54,000/- on 13.02.2023 and Rs.50,000/- on 17.02.2023, totaling Rs.1,04,000/- to the appellant/accused Manikchand Yadav, an employee posted at L&T Finance Company, Branch Raigarh. The appellant, instead of depositing the said amount in the account of the Company, misappropriated the same. It is further alleged that the appellant has also collected installments from other persons of District Jashpur who had obtained finance from L&T Company, and without depositing the amounts in the account of the Company, misappropriated the same and thereby committed cheating. On the report of complainant Alil Toppo, Crime No. 173/2023 was registered at Police Station Bagbahar against the appellant for the said offence and he was arrested on 16.10.2025.
3. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in the present case. It is contended that the complainant has already been examined before the learned trial Court. The complainant has expressed no objection to the grant of bail to the appellant, stating that a compromise has been arrived at between the parties and the

entire amount has been repaid to him. It is further submitted that out of 43 prosecution witnesses, only 4 witnesses, including the complainant, have been examined till date. The appellant has been in judicial custody since 16.10.2025 and there is no likelihood of the trial concluding in the near future. Therefore, considering the aforesaid facts and circumstances, the appellant may be enlarged on bail.

4. Per contra, learned counsel appearing for the State opposes the prayer for bail and submits that the appellant has also cheated four other persons apart from the present complainant. Considering the nature and gravity of the offence, the appellant does not deserve to be released on bail.
5. The complainant, Alil Toppo, is present in person before this Court today. He expresses no-objection to the grant of bail to the appellant. He further states that a compromise has been effected with the appellant and the disputed amount has been paid to him.
6. Heard learned counsel for the parties and perused the case diary as well as other material available on record.
7. Upon due consideration of the totality of the facts and circumstances of the case, particularly the fact that the complainant has expressed no-objection to the grant of bail to the appellant stating that a compromise has been arrived at between the parties and the amount in dispute has been paid to him, out of 43 prosecution witnesses only 4 witnesses including the complainant have been examined so far, the appellant has been in custody since 16.10.2025 and that the trial is likely to take considerable time to conclude, this Court is of the prima facie opinion that a case for grant of bail to the appellant is made out.
8. Accordingly, the appeal is **allowed**. The impugned order dated 27.04.2026 is set aside. It is directed that the appellant shall be released on bail on his furnishing a personal bond in the sum of

Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. The appellant is directed to appear before the trial Court on each and every date to be given to him by the said Court till completion of the trial.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-

(Sanjay Kumar Jaiswal)
Judge