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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7078 of 2026

Vivek Sharma Son Of Ramesh Sharma, Aged About 39 Years Resident Of Sadak No. 2, House No. 347, Shanti Nagar, Police Station Vaishali Nagar, District Durg (C.G.)

... Petitioner

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Pusore, District Raigarh (C.G.)

... Respondent

For Applicant	:	Mr. Jitendra Shukla, Advocate
For Non-applicant/State	:	Mr. K. G. Yadav, Dy. Govt. Advocate

Hon'ble Shri Bibhu Datta Guru, Judge
Order on Board

14.08.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, for grant of regular bail, as he has been arrested in connection with Crime No. 17/2026, registered at Police Station Pusore, Dist. Raigarh (C.G.)

for the offence punishable under Sections 420 & 34 of the IPC.

- 2.** The case of the prosecution, in brief, is that the complainant, namely Kunjbihari Patel, made a complaint at Police Station Pusore stating therein that the co-accused, namely Sitesh Panigrahi, had taken an amount of Rs.4,58,300/- on 22.04.2022 for providing him a job and, after about two months, another amount of Rs.3,69,000/- was given to the said accused. When the job was not provided by the accused, the complainant demanded return of the amount, whereupon the co-accused stated that he would return the said amount in installments. After some time, the complainant came to know that the accused persons had taken amounts from several persons on the pretext of providing them government jobs. The allegation against the present applicant is that he issued a cheque in the name of the complainant, which, however, was dishonoured.
- 3.** It is argued by learned counsel for the applicant that the present applicant has been falsely implicated in the present case. He submits that the applicant has no previous criminal antecedents and the allegation against him is only that, at the instance of the main accused, namely Sitesh Kumar Panigrahi, he issued two cheques, one in favour of the complainant and another in favour of Kunj Bihari Patel. It is further submitted that the applicant has no connection with the alleged acts of the main accused and there is no allegation that the applicant had assured the complainant of

providing employment. Learned counsel further submits that the applicant is in custody since 25.03.2026, the charge-sheet has already been filed and the trial is likely to take some time for its conclusion. He, therefore, prays that the applicant be enlarged on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the documents on record.
6. Considering the facts and circumstance of the case, nature and gravity of allegation made against the applicant and also considering that there is no allegation of cheating on the part of the present applicant and the fact that the charge-sheet has been filed in the present case before the competent Court; and the applicant is in jail since 25.03.2026, and that the conclusion of the trial is likely to take some time, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is **allowed**. Let the applicant – **Vivek Sharma**, involved in Crime No. 17/2026, registered at Police Station Pusore, Dist. Raigarh (C.G.) for the offence punishable under Sections 420 & 34 of the IPC, be released on bail on furnishing **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/-

(Bibhu Datta Guru)
Judge

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