



CGHC010380332026

2026:CGHC:44134

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1626 of 2026

1 - Abdul Jaid alias @ Baccha Khan S/o Abdul Bakar, Aged About 40 Years, R/o Farid Nagar, Supela P.S. Supela District Durg, C.G.

... Applicant

versus

1 - State of Chhattisgarh Through SHO, P. S. Nandini District Durg C.G.

... Non-applicant

(Cause title taken from Case Information System)

For Applicant : Mr. B.P. Singh, Advocate.

For State/Non-applicant : Mr. Malay Jain, Panel Lawyer.

Hon'ble Shri Justice Ravindra Kumar Agrawal, J.
Order on Board

12-10-2026

1. This first anticipatory bail application filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.267/2026 registered at Police Station Nandini, District Durg (C.G.) for the offence punishable under Sections 108, 308 (5) & 3 (5) of BNS.
2. The prosecution case, in brief, is that the on 04.08.2026 the deceased Sanjay Ojha committed suicide by jumping in the Shivnath River so the merg intimation has been registered and during merg enquiry a suicidal letter has been recovered by the prosecution in which the name of Zafar khan, Hulas Patel, Bachcha Khan @ Zaid Mohammad is written therefore, the police has registered the offence of abetment to commit suicide against all three persons whose name has been mentioned in the suicidal note and whose

name has been stated by the family members. The family members/complainant have made the statement that the present applicant along with co-accused and deceased Sanjay Ojha had entered into agreement for purchasing the land for a sum of Rs.70 lakhs and gave the advance of Rs.9,70,000/- to the deceased Sanjay Ojha but the sale deed could not be executed as such the applicant demanded the return of amount but he did not return and instead harassed the deceased Sanjay therefore, he committed suicide. Based on the same the Police registered the offences for abetment and extortion and sought to arrest the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in crime in question. It is further submitted that the deceased Sanjay Ojha was working as land broker and he entered into agreement with the co-accused and applicant on 21.12.2022 for sale of a land and obtained a sum of Rs. 2,95,000/- through account transfer but due to want of permission as well as due to non-availability of sell papers the sale deed was not executed. Thereafter another agreement was executed to sell the land in a sum of Rs. 70 lacs on 15.11.2025 and a total Rs.11,50,000/- was given to the deceased and the balance amount was agreed to be paid at the time of execution of the sale deed but the deceased did not execute the sale deed in favour of the applicant and co-accused, as he had taken money from various persons for the same land. It is further submitted that no specific allegation has been levelled against the applicant in the suicide note and the handwriting of the deceased therein is also not proved. He would further submit that though the applicant is having one criminal antecedent of offence under Section 147, 148, 149, 302, 34, 120B, 212, 216 of the IPC, Section 25 of Arms Act and Section 3(2)5 of the SC/ST Act and in that case the applicant suffered incarceration of more than 14 years and presently he is on bail by the order of Hon'ble Supreme Court dated 26.07.2021. Further, the anticipatory bail application of similarly situated co-accused namely, Zafar

Rashid Khan has been allowed by this Court vide order dated 03.09.2026 passed in MCRCA No.1438 of 2026. Therefore, the present applicant may be enlarged on anticipatory bail.

4. Learned State counsel for the non-applicant/State, would oppose the bail application of the applicant and submit that on applicant's harassment and instigation, the deceased has committed suicide and the suicide note has also been recovered, wherein the deceased has specifically mentioned the name of the applicant and other co-accused persons, as such the applicant has committed a very serious offence, the applicant is having one criminal antecedent of the offence under Section 147, 148, 149, 302, 34, 120B, 212, 216 of the IPC, Section 25 of Arms Act and Section 3(2)5 of the SC/ST Act of the year 2005, therefore, he may not be enlarged on anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts & circumstances of the case, nature of allegation levelled against the present applicant and further considering that there appears to be dispute between the applicant and the deceased regarding the money transaction consequent upon sale/purchase of land but the same cannot be the sole cause for instigation to commit suicide by the deceased and the same is a matter of trial and also for the fact that the handwriting of the suicide note has not been proved by the handwriting expert till now, whereas the incident is of 04.08.2026 i.e. even after a month, and further considering the fact that one of the co-accused has already been extended benefit of anticipatory bail by this Court in MCRCA No.1438 of 2026 and the case of the applicant is similar to that of the said co-accused, therefore, without commenting anything on merits, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the **applicant – Abdul Jaid alias @ Baccha Khan**, on executing a personal bond for a sum of Rs.50,000/- and one surety in the like sum to

the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

“(a) the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court.

(b) the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) the applicant shall appear before the trial Court on each and every date given to him/her by the said Court till disposal of the trial unless his personal appearance is exempted by the trial Court.

(d) the applicant and the surety shall submit a copy of his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) the applicant shall not involve himself in any offence of similar nature in future.”

Sd/-

(Ravindra Kumar Agrawal)
Judge