CGHC010332362026 2026:CGHC:45822

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7984 of 2026

1 - Subhash Kumar Sahu S/o Budhhuram Sahu Aged About 34 Years R/o Bharat Chowk, Chingrajpara, Police Station Sarkanda, District Bilaspur, At Present Address Pendra, District : Gaurela-Pendra-Marwahi, Chhattisgarh

--- **Applicant**

versus

1 - State Of Chhattisgarh Through- Police Station- Baradwar, District : Sakti, Chhattisgarh

--- **Non-applicant**

For Applicant	**:**	Mr. Rupesh Shrivastava, Advocate
For Non-applicant /State	**:**	Mr. Jitendra Shrivastava, G.A.

MCRC No. 8082 of 2026

1 - Afroz Khan S/o Shri Gulsher Khan Aged About 46 Years R/o Ward No. 05, Purani Basti Pendra, Police Station Pendra, District Gaurela Pendra Marwahi, C. G.

---Applicant

Versus

1 - State Of Chhattisgarh Through- Police Station Baradwar, District Sakti, C. G.

--- **Non-applicant**

For Applicant	:	Ms. Mamta Gendle, Advocate
For Non-applicant /State	:	Mr. Jitendra Shrivastava, G.A.

MCRC No. 8107 of 2026

1 - Rekha Rathore D/o Shri Jaikumar Rathore Aged About 38 Years Native R/o Village Maldi, Police Station Malkharauda, District Sakti (C.G.), Presently Residing At Village And Post Nimdha, Block Marwahi, District Gaurela-Pendra-Marwahi (C.G.)

---Applicant

Versus

1 - State Of Chhattisgarh Through Police Station Baradwar, District Sakti (C.G.)

--- **Non-applicant**

For Applicant	:	Ms. Mamta Gendle, Advocate
For Non-applicant /State	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

1. Since these bail applications have been preferred by the applicants under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as they have been arrested in connection with Crime No. 282/2026 registered at Police Station Baradwar, District Sakti (C.G.) for the offence punishable under Sections 318(4), 61(2) and 112 of BNS, therefore, they are being disposed of by this common order.

2. Case of the prosecution, in brief, is that complainant namely Moolchand Rathore alleged that accused persons Rekha Rathore, Pushpanjali Rathore, Afroz Khan and Subhash Kumar Sahu conspired together and induced him to transfer money on the representation that pledged gold could be obtained at a cheaper price and that profits could be earned by paying amounts towards gold loans and renewal/extension of loan tenure. It is alleged that in between 31/10/2025 and 30/04/2026, the complainant transferred a total amount of Rs. 1,05,17,500/- through UPI, NEFT, RTGS and IMPS to various bank accounts allegedly connected with the accused persons and their family members. It is alleged that Rs. 12,89,000/- were thereafter returned by Rekha Rathore and Rs. 2,00,000/- by Afroz Khan, leaving an outstanding balance of Rs. 90,28,500/-. On the basis of the complaint, FIR was registered against all the accused persons.

3. Mr. Rupesh Shrivastava, learned counsel appearing for the applicant Subhash Kumar Sahu, would submit that the applicant is innocent and has falsely been implicated in the present case on suspicion. He would further submit that the applicant Subhash Kumar Sahu was working as Branch Manager in L&T Microfinance Bank, Pendra where his duty was to sanction and recover micro loans to groups of women borrowers. He would further submit that the applicant came in contact of co-accused Rekha Rathore as she had also availed for a micro-finance loan

from his Bank and when he had gone for recovery of said loan, on 30/04/2026, Rs. 75,000/- were received by him in his bank account out of which he had returned Rs. 60,000/- on the same day. He would further contend that complainant Moolchand Rathore never transferred a single penny in the bank account of the applicant and his case is entirely on a different footing from co-accused Rekha Rathore and Afroz Khan and apart from this, there is no material in the charge-sheet to connect the applicant with the crime in question. He would lastly submit that there are no criminal antecedents of the applicant, charge-sheet has already been filed and he is in jail since 06/08/2026 and since conclusion of trial is likely to take considerable time, he be released on bail. It is also contended that co-accused Pushpanjali Rathore has also been extended the benefit of anticipatory bail by this Court vide order dated 17/08/2026 passed in MCRCA/1337/2026.

4. Ms. Mamta Gendle, learned counsel for the applicants Rekha Rathore and Afroz Khan, would submit that applicant Rekha Rathore has already returned Rs. 12,89,000/- and applicant Afroz Khan has returned Rs. 2,00,000/- to the complainant. It is also argued that the applicants do not have any previous criminal antecedents and since charge-sheet has been filed, they are in jail since 05/08/2026 and conclusion of trial is likely to take considerable time, therefore, they may be released on bail.

5. On the other hand, Mr. Jitendra Shrivastava, learned State counsel would submit that the present applicants induced the complainant Moolchand Rathore to transfer money on the representation that pledged gold could be obtained at a cheaper price and that profits could be earned by paying amounts towards gold loans and renewal/extension of loan tenure and complainant transferred a total amount of Rs. 1,05,17,500/- through UPI, NEFT, RTGS and IMPS to various bank accounts connected with the accused persons and their family members. He would further contend that there is sufficient documentary evidence available against the present applicant to connect them with the crime in question. It is further argued that the applicants hatched a criminal conspiracy and actively participated in the commission of the said offence. Thus, he prays for rejection of these bail applications.

6. I have heard learned counsel for the parties and perused the case diary.

7. A perusal of the case diary would reveal that complainant Moolchand Rathore was induced by applicants Rekha Rathore and Afroz Khan transfer money on the representation that pledged gold could be obtained at a cheaper price and that profits could be earned by paying amounts towards gold loans and renewal/extension of loan tenure. As per FIR, between 31/10/2025 and 30/04/2026, complainant transferred a total

amount of Rs. 1,05,17,500/- through UPI, NEFT, RTGS and IMPS to various bank accounts allegedly connected with the accused persons and their family members. It is informed that Rs. 12,89,000/- were thereafter returned by Rekha Rathore and Rs. 2,00,000/- by Afroz Khan but the outstanding balance of Rs. 90,28,500/- still remains.

8. The prosecution has placed on record bank details of Rekha Rathore, Afroz Khan and Subhash Kumar Sahu. A perusal of the same would show that Rs. 75,000/- was transferred by the complainant in the bank account of applicant Subhash Kumar Sahu out of which Rs. 50,000/- was returned by him to applicant Rekha Rathore on the same date. Moreover, Rs. 89,42,500/- was transferred in the bank account of Rekha Rathore and Rs. 15,00,000/- was transferred in the bank account of Afroz Khan.

9. Having considered the documentary evidence in the shape of bank details of the applicants, further considering the nature of offence and the allegations against applicants Rekha Rathore and Afroz Khan, I am not inclined to release them on bail. Thus, the bail applications filed by the applicants **Rekha Rathore** and **Afroz Khan** are hereby **dismissed**.

10. So far as applicant Subhash Kumar Sahu is concerned, apparently there is no financial trail of his bank account and considering that charge-sheet has already been filed and he is in jail since 06/08/2026, he has no criminal antecedents, without

commenting on the merits of the matter, I am inclined to grant him bail. Accordingly, the bail application filed by the applicant **Subhash Kumar Sahu** is hereby **allowed**.

11. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

    (i) he 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 from disclosing such fact to the Court,

    (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

    (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

12. Accordingly, MCRC/8082/2026 and MCRC/8107/2026 are dismissed whereas MCRC/7984/2026 is allowed.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet