CGHC010338322026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8127 of 2026

Yashpal Singh Yadav S/o Shri Jayhind Yadav Aged About 29 Years R/o Village Kunwarpura, P.S. Niwadi, District- Niwadi (M.P.)

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, (S.H.O.) P.S. Gidam District- South Bastar, Dantewada (C.G.)

.. Non-Applicant(s)

For Applicant	:	Ms. Sareena Khan, Advocate.
For Non-Applicant/State	:	Mr. Dharmesh Shrivastava, Dy. Adv. Gen.
For Objector	:	Mr. Narendra Kumar, Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

04/11/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 37/2025, registered at Police Station Gidam, District Dantewada (C.G.), for the offences punishable under Sections 318(4) and 319(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66-D of

the Information Technology Act, 2000.

2. The prosecution story, in brief, is that the applicant allegedly induced the complainant, Sadhuram Kunjam, by informing him that he had won a lottery and would be given a Pulsar motorcycle. On the pretext of processing fees for the said lottery, the applicant allegedly obtained a sum of Rs.47,850/- from the complainant. On the basis of the complaint, the aforesaid offences were registered against the applicant at Police Station Gidam, District Dantewada (C.G.).

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the applicant has already refunded the entire amount of Rs.47,850/- to the complainant. It is further submitted that the charge-sheet has already been filed before the competent Court, the applicant is in jail since 17.08.2026 and so far as his criminal antecedents are concerned, the same have been disclosed in paragraph 4-A of the bail application. The conclusion of the trial is likely to take some time. On these grounds, learned counsel prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has two criminal antecedents. However, he would fairly submit that the applicant has refunded the amount of Rs.47,850/- to the complainant. Nevertheless, looking to the manner in which the

alleged offence has been committed, the applicant is not entitled to be released on bail.

5. Learned counsel for the objector would submit that the applicant has already refunded the entire amount of Rs.47,850/- to the complainant and the complainant has received the said amount.

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

7. Having considered the facts and circumstances of the case, nature and gravity of the offence alleged against the applicant, particularly the fact that the amount of Rs.47,850/- allegedly obtained from the complainant on the pretext of lottery processing fees has already been refunded by the applicant and the complainant has received the said amount, further considering the fact that the applicant has two criminal antecedents pertaining to the years 2022 and 2025, charge-sheet has already been filed before the competent Court and the applicant is in jail since 17.08.2026 thus, without further commenting upon the merits of the case, I am inclined to grant bail to the applicant.

8. Accordingly, the bail application of the applicant is **allowed**. 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 the 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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal