CGHC010351972026 2026:CGHC:43798

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8558 of 2026

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Date: 2026.10.12 10:45:30 +0530

1 - Sentu Sheikh S/o Mantu Sheikh, Aged About 26 Years Residents Of Village - Mahismara, Police Station - Hariharpur, District -Murshidabad (W.B.)
2 - Gaffar Shiekh, S/o Iqbal Sheikh, Aged About 28 Years Residents Of Village - Mahismara, Police Station - Hariharpur, District -Murshidabad (W.B.)
3 - Asim Sheikh, S/o Aarif Sheikh, Aged About 23 Years Residents Of Village - Mahismara, Police Station - Hariharpur, District -Murshidabad (W.B.)
4 - Maashadul Sheikh, S/o Makkar Ali Sheikh, Aged About 37 Years Residents Of Village - Mahismara, Police Station - Hariharpur, District - Murshidabad (W.B.) **... Applicants**

versus

State Of Chhattisgarh Through - Station In-Charge, Police Station - Gandhinagar, District - Sarguja (C.G.) **... Non-applicant**

For Applicant	**:**	Dr. Sudeep Agrawal, Advocate.
For Non-Applicant	**:**	Shri Keshav Gupta, Government Advocate.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

09/10/2026

1. This is the F**irst Bail Application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.283/2026 registered at Police Station Gandhi Nagar, Ambikapur District Sarguja (C.G.) for the offence under Sections 317 (2), 317 (3) & 3 (5) of the BNS.

2. The prosecution case, in brief, is that on the basis of secret information received through informant, the PS intercepted Grey Color Maruti Omni Car bearing No. WB58 BP8233 & seized stolen mobile phones, which were allegedly used in cyber fraud & money transaction, from possession of the applicants & one co- accused person, whose details are: 110 in number Android touch screen phones, 650 in number old keypad phones & 95.500 kg Silver like item & since they did not possess documents in support of possession of items, the offence u/s 317(2), 317(3), 3(5) of BNS has been registered against the applicants & other co-accused person at PS Gandhi Nagar Ambikapur, District Sarguja and the applicants have been arrested on 18.05.2026. Hence the bail application.

3. It has been argued by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the crime. The charge sheet has been filed and the trial will take considerable time for its conclusion, therefore the applicant may be released on bail. There is no material collected by the prosecution to tie the present applicant to commission of the alleged offence. No ingredients of the offence alleged to have been committed by the applicant is present and the case of the prosecution is totally baseless and frivolous. It has been further argued that co-accused persons have been granted bail on 13.08.2026 passed by this Court in MCRC No.5720/2026. It has also been argued that the applicants do not have any criminal antecedents and they are in jail since 18.5.2026. Therefore, on parity, the applicants may be released on bail.

4. On the other hand, learned counsel appearing for the State/non-

applicant would oppose the bail application and submit that the applicants do not have any criminal antecedents, and the charge sheet has been submitted against the applicants.

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

6. Taking into consideration the facts and circumstances of the case, and the fact that the charge sheet has already been submitted against the applicants, the applicants do not have any criminal antecedents and they are in jail since 18.5.2026 and conclusion of trial is likely to take some time and further co-accused persons have been granted bail by this Court, this Court is of the view that the applicants are entitled to be released on bail in the present case. Accordingly, the Application is allowed.

7. It is directed that Applicants be released on bail on each of them furnishing personal bond of Rs.50,000/- each with one surety each in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, &

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

trial.

8. The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani