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KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9513 of 2026

Aman Kumar Singh S/o Shri Sanjay Kumar Singh Aged About 25 Years Resident Of Kanholi, Garhwal, (Bisunpur Parsi) Police Station- Mahua District- Vaishali (Bihar).

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, P.S.- Sakri, District- Bilaspur (C.G.).

... Non-Applicant(s)

For Applicant	:	Mr. Pramod Shrivastava, Advocate.
For Non-Applicant/State	:	Mr. K.S. Saini, Dy. Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

08/10/2026

1. The applicant has preferred this second bail application 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. 718/2025, registered at Police Station Sakri, District Bilaspur (C.G.), for the offences punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(D) of the Information Technology Act.

2. The earlier first bail application preferred by the applicant was

rejected on merits by a Coordinate Bench of this Court in MCRC No. 3817 of 2026 vide order dated 08.07.2026. Hence, the present second bail application has been preferred on the ground of subsequent change in circumstances.

3. The prosecution case, in brief, is that the complainant was induced by the accused persons on the false promise of arranging a loan of Rs.70,00,000/- under the PM Samriddhi Yojana and, on such representation, he transferred various amounts towards processing fees, insurance and other charges. It is alleged that an amount of approximately Rs.73,23,291/- was dishonestly obtained from him. During investigation, the present applicant and other co-accused persons were implicated in the alleged cyber fraud.

4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would submit that after filing of the charge-sheet, the case was listed before the learned Court below for framing of charge on 31.07.2026 and after hearing on the question of framing of charge, the learned trial Court observed that the prosecution had failed to disclose the mandatory statutory requirements necessary for framing of charge under Section 111 of the Bharatiya Nyaya Sanhita, 2023. It is further submitted that the learned trial Court, exercising jurisdiction at the stage analogous to Section 250 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has accordingly discharged the accused persons from the offence punishable under Section 111(4) of the Bharatiya Nyaya Sanhita, 2023. Learned

counsel further submits that the applicant's first bail application was rejected on merits vide order dated 08.07.2026 and that the applicant has remained in custody since 05.12.2025. It is also submitted that the applicant is not a beneficiary of the amount allegedly deposited or transacted through the concerned bank account. On these grounds, learned counsel prays that the applicant be enlarged on bail.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the first bail application of the applicant was already rejected on merits by a Coordinate Bench of this Court in MCRC No. 3817 of 2026 vide order dated 08.07.2026. It is submitted that the subsequent discharge of the applicant from the offence under Section 111(4) of the BNS does not materially alter the allegations or the other incriminating material collected against him. Learned State counsel would further submit that the material collected during investigation prima facie discloses the involvement of the applicant in the alleged cyber fraud, including the use of the bank account for routing the cheated amount, withdrawal of the amount and receipt of commission. Therefore, there is no substantial change in circumstances warranting grant of bail to the applicant.

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

7. Having considered the submissions advanced by learned counsel for the parties, the facts and circumstances of the case and the

material available on record, this Court finds that the first bail application of the applicant was rejected on merits by a Co-ordinate Bench of this Court vide order dated 08.07.2026. Though the applicant has subsequently been discharged from the offence punishable under Section 111(4) of the BNS by the learned trial Court, such discharge, by itself, does not wipe out or materially affect the major allegations and other incriminating material collected against the applicant in respect of the remaining offences. The applicant is alleged to have played an active role in the alleged cyber fraud by facilitating the use of the bank account for routing the cheated amount, facilitating withdrawal of the amount and receiving commission therefrom. Thus, no such substantial change in circumstances is made out which would warrant taking a different view from the one taken while rejecting the first bail application. Having regard to the nature and gravity of the allegations and the material available against the applicant, this Court is not inclined to grant bail to the applicant.

8. Accordingly, the present second bail application is hereby **rejected**.

Sd/-

(Rakesh Mohan Pandey)
Judge

Kunal