CGHC010362122026 2026:CGHC:43495

NAFR

KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8860 of 2026

1 - Sohan @ Avinash S/o Samaru Aged About 43 Years R/o Village - Mainpurkala, Thana And Tahsil - Mainpur, Distt. - Gariyaband Chhattisgarh

2 - Gannu Netam S/o Shri Ramdayal Aged About 48 Years R/o Village - Mainpurkala, Thana And Tahsil - Mainpur, Distt. - Gariyaband Chhattisgarh

3 - Tameshwar Singh Nag S/o Shri Devprasad Nag Aged About 46 Years R/o Village Kodabhat Kanker, Tahsil And Thana Kanker, Distt. North Bastar Kanker Chhattisgarh

4 - Jitendra Sardul S/o Ram Baran Sardul Aged About 27 Years R/o Village - Banskot, Tahsil - Vishrampuri, Distt. Kondagaon Chhattisgarh

... Applicant(s)

versus

The State Of Chhattisgarh, Through Station House Officer, Police Station - Kanker, Distt. North Bastar Kanker Chhattisgarh

... Non-Applicant(s)

For Applicants	**:**	Mr. Sumit Shrivastava, Advocate.
For Non-Applicant/State	**:**	Mr. Keshav Gupta, Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

07/10/2026

1. The applicants have preferred this first bail application 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.182 of 2026 registered at Police Station Kanker, District North Bastar Kanker (C.G.), for the offences punishable under Sections 318(4), 319(2), 336(3), 338, 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that the complainant received a call from applicant Sohan @ Avinash Tiwari, who allegedly induced him to purchase coins of Ram, Sita and Laxman by representing that the same could subsequently be sold in a foreign country for a huge amount. Believing the said representation, the complainant met the applicant Avinash on 26.05.2026 at Agriculture Science Centre, Singarbhat, Kanker, where there are three accused persons also there (applicant No.2 to 4) then the applicants allegedly showed him certain coins and upon being convinced, the complainant paid Rs.30,000/- to Avinash Tiwari, whereafter the applicants allegedly fled from the spot. When the complainant came to know that he had been defrauded, he lodged a report at Police Station Kanker on 28.05.2026. Subsequently, the offences as stated above were registered against the accused.

3. Learned counsel for the applicants would submit that the applicants are innocent and have been falsely implicated in the present case. He would submit that the names of applicant Nos.2 to 4 do not find

place in the FIR and that applicant No.1, Avinash Tiwari, was arrested on 30.05.2026 on the basis of suspicion. He would further submit that thereafter his memorandum statement was recorded, wherein the names of applicant Nos.2 to 4 were disclosed and they have been arrested merely on such disclosure without any cogent basis to connect them with the alleged offence. It is further submitted that the charge-sheet has already been filed before the competent Court, the applicants are in custody since 30.05.2026 and have no criminal antecedents and the conclusion of the trial is likely to take some time therefore, he prays for grant of regular bail to the applicants.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the present applicants cheated the complainant and induced him to part with an amount of Rs.30,000/- and thereafter fled from the spot. He would further submit that there is a direct allegation against the applicants regarding commission of the alleged offence and an amount of Rs.30,000/- has also been recovered during the course of investigation. Therefore, the bail application deserves to be rejected.

5. I have heard learned counsel for the parties and perused the case diary and other material available on record.

6. Having considered the facts and circumstances of the case, nature and gravity of the offence alleged against the applicants, the allegations levelled against the present applicants, the fact that the charge-sheet has already been filed before the competent Court,

the applicants have remained in custody since 30.05.2026, the fact that they have no criminal antecedents and further considering that the conclusion of the trial is likely to take some time, thus without further commenting upon the merits of the case, I am inclined to grant bail to the applicants.

7. Accordingly, the bail application of the applicants is **allowed**. It is directed that in the event of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, they shall be released on bail on 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 them 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 them by the said Court till disposal of the trial.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal