CGHC010364732026 2026:CGHC:46585

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8842 of 2026

Ayush Jha S/o Saroj Jha Aged About 27 Years R/o Bailabazar Danteshwari Ward, Jagdalpur, District- Bastar, Chhattisgarh

... Applicant

Versus

State Of Chhattisgarh Through Police Station Frezerpur (Parpa) Jagdalpur, District- Bastar, Chhattisgarh

... Respondent(s)

For Applicant	:	Mr. Manish Nigam, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

1. This is the First 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. 202/2026 registered at Police Station : Frezerpur (Parpa), District : Bastar (C.G.) for the offence punishable under Sections 316 (3) and 3 (5) of BNS.

2. As per the case of prosecution, on 24.08.2026, at about 14:21 hours, complainant Amar Kumar Singh, S/o Shri Mitro Singh, aged 42 years,

Caste Rajput, R/o Chandni Chowk, Police Station Kotwali, Jagdalpur, District Bastar (C.G.), appeared at Police Station Parpa and submitted a written complaint before the Station House Officer. In his complaint, the complainant stated that he is working as a Supervisor in Integral Trading and Logistics Company. His company has been awarded a contract for transportation of CLO (Iron Ore Fines) from Kumar Marenga Railway Siding to Nagarnaar Steel Plant (NSL). Other transport agencies, namely Front Line, Mahira Enterprises and Mahadev Traders, are also engaged in the transportation work of the said iron ore through tipper vehicles. The complainant further stated that on 21.08.2026, a tipper truck bearing registration No. CG-12-S-5895, belonging to Mahadev Traders and driven by driver Santosh Kushwaha, was loaded with approximately 31.500 Metric Tonnes of CLO (Iron Ore Fines) at Kumar Marenga Railway Siding. The said vehicle departed from Kumar Marenga at about 12:10 PM for unloading the iron ore at Nagarnaar Steel Plant. However, the said tipper truck did not reach Nagarnaar Steel Plant for unloading even by 08:00 PM on the same day. During the course of inquiry, the complainant came to know that driver Santosh Kushwaha, in connivance with his associates Ayush Jha and Ranjan, had allegedly hatched a criminal conspiracy with the intention of making illegal gains and dishonestly misappropriated the loaded iron ore. The complainant accordingly suspected that the accused persons, acting in collusion with one another, had dishonestly diverted and misappropriated the aforesaid 31.500 Metric Tonnes of iron ore, thereby causing wrongful loss to the concerned company and wrongful gain to themselves. On the basis of the above facts, the complainant requested the police to

register an FIR and take appropriate legal action against the persons involved.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant has no concern with the alleged transportation or misappropriation of 31.500 Metric Tonnes of CLO (Iron Ore Fines). It is contended that the iron ore was loaded in the tipper truck by co-accused Santosh Kushwaha, and the applicant had no knowledge that the co-accused would dishonestly divert or misappropriate the same. No specific overt act has been attributed to the applicant, and his implication is based merely on suspicion. Learned counsel further submits that the charge-sheet has already been filed, the applicant is in judicial custody since 25.08.2026, and no further custodial interrogation is required. The trial is likely to take considerable time. Therefore, learned counsel prays that the applicant may kindly be enlarged on regular bail.

4. Per contra, learned counsel for the State opposes the bail application and submits that the applicant, in connivance with co-accused Santosh Kushwaha and other persons, was involved in a criminal conspiracy to dishonestly misappropriate 31.500 Metric Tonnes of CLO (Iron Ore Fines), which was loaded in the tipper truck bearing registration No. CG-12-S-5895 for transportation to Nagarnaar Steel Plant. It is further submitted that the applicant was involved in the commission of the alleged offence with the intention of causing wrongful loss to the company and wrongful gain to himself and other co-accused persons. Therefore, considering the seriousness of the allegations and the gravity of the offence, learned counsel for the State prays for rejection of the bail application.

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

6. Having heard learned counsel appearing for the parties and upon perusal of the case diary, further considering the nature of allegations, the fact that the investigation has been completed and the charge-sheet has already been filed before the competent Court, the applicant is in judicial custody since 25.08.2026 and has no criminal antecedents, this Court is of the considered opinion that further detention of the applicant is not warranted at this stage. Moreover, the conclusion of the trial is likely to take considerable time. Therefore, without further commenting upon the merits of the case, this Court is inclined to allow the bail application.

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

(a) he shall make himself available for interrogation by the police officer as and when required;

(b)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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(**Rakesh Mohan Pandey**)
JUDGE

Saurabh