HARNEET KAUR

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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9090 of 2026

1 - Mukesh Kumar Das S/o Satyanarayan Das Aged About 29 Years R/o -Ward No. 13, Vill. Post Haipur, P.S. Rosera, Dist. Samastipur (Bihar), Hall Mukam Ward 19, Urkura, Bajrang Nagar Verma House Mahi Plaza Road Raipur (C.G.)

--- **Applicant**

versus

1 - State Of Chhattisgarh Through Police Station Civil Line District - Bilaspur (C.G.)

--- **Non-applicant**

For Applicant	:	Mr. Sandeep Singh, Advocate
For Non-applicant /State	:	Mr. Keshav Gupta, G.A.
For Objector/ Complainant	:	Mr. Wasim Miyan, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04/11/2026

1. The applicant has preferred this first 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. 613/2026 registered at Police Station Civil Lines, District Bilaspur (C.G.) for the offence punishable under Sections 318(4), 61(2), 317(4) and 3(5) of BNS and Section 66(D) of the Information Technology Act.

2. Case of the prosecution, in brief, is that complainant came to know about the advertisement related to stock trading and when she clicked on the site, she was redirected to a whatsapp ground containing 139 members. Thereafter, complainant joined the Sarthi Plan to invest in stock trading through the application FINSOL and the complainant, on her own will, invested a total sum of Rs. 17,21,100/- via NEFT, IMPS and RTGS. When the complainant asked for refund of the invested amount and when no heed was paid, she lodged an FIR against co-accused persons namely Sandeep Chandra, Mukesh Kumar Das and Sourabh Rathore. The said co-accused persons were apprehended and on the strength of their memorandum statements, other co-accused persons namely Shishir Rathore, Keshav Sao and Rajat Tomar were implicated in the case.

3. Mr. Sandeep Singh, learned counsel appearing for the applicant, would submit that the applicant is innocent and has falsely been

implicated in the present case. The applicant never induced the complainant to invest in stock trading and she, on her own will, invested a total sum of Rs. 17,21,100/-. He would further contend that police recovered a sum of Rs. 8,81,852/- from 450 bank accounts and the said amount has already been refunded to her and apart from that, complainant has been refunded a sum of Rs. 3,90,000/- through supurdnama by the concerned trial Court in MJC/872/2026. Moreover, the present applicant along with three other co-accused persons have refunded Rs. 1,80,000/- each to the complainant though bank drafts. He would lastly submit that there are two previous criminal antecedents of the applicant of similar nature but they have been registered in the State of Telangana, charge-sheet has already been filed, the applicant is in jail since 30/05/2026 and since conclusion of trial is likely to take considerable time, the present applicant may be released on bail.

4. On the other hand, Mr. Keshav Gupta, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the applicant along with other co-accused persons cheated the complainant and grabbed a sum of Rs. 17,21,100/-. It is also contended that there are two criminal antecedents of the applicant of similar nature registered in the State of Telangana. He would further contend that as there are serious allegations of committing fraud against the present applicant and the co-

accused persons, therefore, this bail application is liable to be rejected.

5. Mr. Wasim Miyan, learned counsel appearing for the objector/complainant, would oppose the submission advanced by learned counsel for the applicant. He would fairly endorse the submission that complainant has already been refunded a sum of Rs. 3,90,000/- through supurdnama by the concerned trial Court and the present applicant along with three other co-accused persons have already refunded a sum of Rs. 1,80,000/- each to the complainant though bank drafts.

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

7. Having considered the fact that charge-sheet has already been filed, though there are two previous criminal antecedents of the applicant of similar nature but they have been registered in the State of Telangana, further considering that the present applicant along with three co-accused persons have each refunded a sum of Rs. 1,80,000/- to the complainant by bank drafts and the complainant has further secured a refund of Rs. 3,90,000/- from the concerned trial Court, further considering that the applicant is in jail since 30/05/2026 and the conclusion of trial is likely to take considerable time, without commenting on the merits of the matter, this Court is inclined to enlarge the applicant on regular bail. Accordingly, the bail application is **allowed**.

8. 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 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, and

    (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.

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

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet