CGHC010365682026 2026:CGHC:43733

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8970 of 2026

Sukhdhar Poyam S/o Dhirnath Poyam Aged About 45 Years R/o Village Tangnpakhna Kokodi, Tahsil And District Kondagaon Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station Kondagaon, District Kondagaon Chhattisgarh. **... Non-Applicant**

For Applicant	**:**	Smt. Deepa Ramteke, Advocate
For Non-Applicant	**:**	Mr. Jitendra Shrivastava, Government Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

08/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 81/2026 registered at Police Station Kondagaon, District Kondagaon (C.G.) for offences punishable under Sections 318(4), 338, 336(3), 340, and 3(5) of the Bharatiya Nyaya Sanhita, 2023. The applicant is in custody since 04.06.2026.

2. Case of the prosecution, in brief, is that between 22.09.2024 and 22.03.2026, the applicant, in connivance with co-accused Jayanto Haldar, duped multiple victims including Basman Netam, Rajkumar

Markam, Santuram Poyam, Layakram Sodhi, Khemsingh Netam, Naval Sori, and several others in village Kokodi by falsely promising that Sah Auto Service, Baniyagaon, was providing heavy discounts on two-wheelers (motorcycles/scooters). Induced by the said representation, the victims delivered substantial cash amounts (ranging from ₹65,000/- to ₹85,000/- each) to the applicant towards the purchase price of the vehicles. However, the applicant dishonestly collected their identity and personal documents and, without their consent or knowledge, got the vehicles financed through AU Small Finance Bank. The fraud came to light when the victims began receiving loan repayment notices and EMI demand notices from the financing bank, revealing that 30 to 45 innocent persons had been systematically cheated of lakhs of rupees.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that the investigation is complete and the charge-sheet has already been filed. Learned counsel strongly contends that co-accused Jayanto Haldar has already been enlarged on regular bail by the coordinate Bench vide order dated 21.08.2026 passed in MCRC No. 6630 of 2026, and since the applicant is in jail since 04.06.2026 having no previous criminal antecedents, he is also entitled to be released on bail on the ground of parity.

4. On the other hand, the learned State counsel opposes the bail application and submitted that the applicant is the main accused and the prime conspirator. He allegedly lured innocent villagers from rural areas, collected large sums of money from them on the promise of providing heavy discount on vehicle purchase, and fraudulently obtained loans in their names. It is alleged that around 30 to 45 people were cheated in this way. He would further submitted that the applicant’s role is different from that of the co-accused, Jayanto Haldar, and thus, he may not be granted bail.

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

6. A perusal of the charge-sheet and the material collected during investigation prima facie reveals that the applicant is the key accused who actively persuaded and assured the victims to purchase motorcycles/scooters at discounted rates, collected cash payments directly from them towards the price of the vehicles, and simultaneously took their KYC and personal documents to surreptitiously obtain vehicle loans from AU Small Finance Bank in their names. It was only when recovery notices were issued by the bank that the victims realized they had been cheated. The allegations demonstrate a well-orchestrated financial fraud targeting roughly 30 to 45 gullible individuals and siphoning off huge amounts of money.

7. So far as the claim of parity with co-accused Jayanto Haldar is concerned, the material on record demonstrates that Jayanto Haldar was merely working as a business executive who collected vehicle finance loan applications and documentation, whereas the present applicant is the principal perpetrator who directly approached the victims, extracted cash amounts from them, and executed the entire fraudulent scheme. Hence, the case of the present applicant stands on a totally different footing, and no parity can be extended to him.

8. Considering the nature and gravity of the offence, the manner in which a large number of innocent persons have been defrauded, the extent of the fraudulent transactions, and the primary role played by the applicant, this Court is not inclined to grant regular bail to the applicant. Accordingly, the bail application filed under Section 483 of the BNSS is rejected. Sd/-

Rakesh Mohan Pandey

JUDGE

Nadim