NIRMALA
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CGHC010374452026 2026:CGHC:43829

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8988 of 2026

1 - Rajesh Sahu Son Of Late Dukhiram Sahu, Aged About 46 Years Resident Of Village Sahsa, Police Station And Tahsil Pamgarh, District Janjgir-Champa (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through - The District Magistrate, Bilaspur (Through - Station House Officer, Police Of Police Station Pachpedi, District Bilaspur (C.G.)

... Respondent(s)

For Applicant	:	Shri Baldau Prasad Banjare, Advocate.
For Non-applicant/State	:	Ms. Ritika Verma, P.L.

HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY

Order on Board

09/10/2026

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.143/2026 registered at Police Station Pachpedi, District Bilaspur (C.G.), for the offence punishable under Section 318(4) of BNS.

2. As per the case of the prosecution, the complainant, Sonu Gauraha, sold 143 quintals of paddy to Rajesh Kumar Sahu at the rate of Rs.2,800 per quintal. In consideration thereof, the applicant herein issued cheque No. 006674, drawn on Allahabad Bank, for a sum of Rs. 4,00,000/- in favour of the complainant on 20.2.2026. The complainant presented the cheque before the Bank of Maharashtra on 5.5.2026, but it was dishonoured on the ground of an invalid instrument. Thereafter, the complainant lodged an FIR on 16.5.2026, pursuant to which the aforesaid offences were registered against the applicant.

3. Learned counsel for the applicant would submit that the complainant has given a criminal colour to what is essentially a matter falling under the provisions of the Negotiable Instruments Act. He would contend that the complainant ought to have filed a complaint under the Negotiable Instruments Act. He would further submit that the charge-sheet has already been filed, the applicant has been in jail since 16.5.2026, and the trial may take some time to conclude. Therefore, he prays for grant of regular bail to the applicant.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant has two subsisting criminal antecedents, one relating to an offence punishable under Sections 409 and 420 of the IPC, registered in the year 2022, and the other registered in the year 2024 under the provisions of the Chhattisgarh Excise Act. It is further argued that the applicant has cheated an innocent agriculturist. Therefore, the bail application deserves to be rejected.

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

6. Though the applicant has two criminal antecedents, one case was registered in the year 2022 and the other in the year 2024, and the applicant has been granted bail in both cases. Further, the charge-sheet has already been filed, and the applicant has been in jail since 16.5.2026. The FIR in the present case was lodged following the dishonour of the cheque issued by the applicant on the ground of an invalid instrument.

7. Having regard to the aforesaid facts and circumstances, I am inclined to allow the bail application. Accordingly, the bail application is allowed.

8. Let the applicant be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with the 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, &

(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.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Nimmi