CGHC010388142026 2026:CGHC:44301

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1629 of 2026

1 - Khileshwar Sahu S/o Late Dauwa Ram Sahu Aged About 46 Years R/o Purgaon Tehsil Bilaigarh District Sarangarh Bilaigarh Chhattisgarh.

--- Applicant

versus

1 - State Of Chhattisgarh Through- The Station House Officer Police Station Saraipali, District Mahasamund Chhattisgarh.

--- Respondent

MCRCA No. 1678 of 2026

1 - Heerasingh Dhruv S/o Mansukh Dhruv Aged About 49 Years R/o Village And Post - Kirwai, Tehsil Rajim, District Gariyaband Chhattisgarh (As Per The Information Received From The Deponent, Particulars Are Not Mentioned In The Impugned Order)

---Applicant

Versus

1 - State Of Chhattisgarh Through The S H O, Police Station Saraipali, District Mahasamund Chhattisgarh

--- Respondent

(Cause title is taken from CIS system)

For Applicant : Mr. Goutam Khetrapal, Advocate
(In MCRCA No. 1629 of 2026)

For Applicant : Ms. Poulami Das, Advocate
(In MCRCA No. 1678 of 2026)

For Respondent/State : Mr. Sumit Singh, Dy.A.G.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

13/10/2026

1. As both the bail applications are arising out of the same crime number, they are being heard and decided together by this common order.

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

2. These are the first bail applications filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicants who are apprehending their arrest in connection with Crime No. 289 of 2026 registered at Police Station Saraipali, District – Mahasamund (C.G.) under Sections 409, 420, 467, 468, 471, 120-B of Indian Penal Code.

3. Case of the prosecution, in brief, is that a complaint was made by Avinash Sharma, Nodal Officer, District Cooperative Central Bank Limited, Branch Toresinha before the Police Station Saraipali alleging that on the basis of forged and fabricated documents of land, total KCC loan amounting to Rs.1,77,00,000/- was sanctioned in the name of 57 farmers of Sahkari Samiti, Kena by the District Cooperative Central Bank Limited, Branch Toresinha. It is further alleged that the said KCC loan amount was disbursed by Samiti Incharge, Kena namely Bhishmadev Patel for the period from 01.04.2023 to 30.09.2023.

4. Applicant – Khileshwar Sahu is Assistant Accountant and applicant-Heerasingh Dhruv is Junior Cashier-cum-Clerk of Kena Sahakari Samiti Saraipali, Branch Toresinha

5. Learned counsel for applicants submits that applicants are employees of the Samiti, however, according to the enquiry report submitted by the Committee constituted by the Collector, main allegation is against Bhishma Kumar Patel, the President of Society and Branch Manager. He submits that preparation of documents for KCC loan is processed through them. Applicants have acted upon the documents placed before them and disburse the loan. Applicants are employees of the

society, hence, there is no likelihood of their absconding. In the enquiry report, it has come that KCC loan which is sanctioned and disbursed by Soceity has already been returned back in its entirety and as on date, there is no loss. Hence, it is prayed that applicants be enlarged on anticipatory bail.

6. Learned State counsel opposes the bail applications and the submission made and would submit that according to the material available in the case diary, there is active role in commission of offence against applicants also. He however, submits that there is enquiry report prepared by the enquiry Committee constituted by the Collector and it is forming part of the case dairy also. He submits that according the enquiry report irregularities have been committed by the Society of a sum of Rs.1,77,00,000/-, however, upon putting query with regard to returned of amount as argued by learned counsel for applicants by farmers, as mentioned in the report, he submits that as it is mentioned in the enquiry report, he is not disputing the same.

7. I have heard learned counsel for parties and perused the documents placed on record.

8. Taking into consideration the facts and circumstances of the case, the nature of allegation and submission made by learned counsel for respective parties further considering that allegation is of committing irregularities and the amount of KCC loan has been returned back by farmers of the Society, applicants are employees of Society, without commenting anything on merits of the case, I am inclined to release the applicants on anticipatory bail.

9. Accordingly, both the anticipatory bail applications are allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on anticipatory bail by the officer arresting them on their executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned arresting officer. Applicants shall also abide by the following conditions:-

(i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;

(ii) that the applicants 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/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Balram