CGHC010399682026 2026:CGHC:46475

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9661 of 2026

- Sourya Karoliya S/o Sandeep Karoliya Aged About 19 Years R/o In Front Of Dream Palace, Near Lic Office, Sarkanda, Bilaspur, Distt. Bilaspur, Chhattisgarh. (In Jail)

... Applicant

versus

- State Of Chhattisgarh Through The Sho, Police Station Sarkanda, Distt. Bilaspur, Chhattisgarh.

... Non-applicant

For Applicant	:	Mr. Ashutosh Shukla, 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. 1122/2026 registered at Police Station : Sarkanda, District : Bilaspur (C.G.) for the offence punishable under Sections 308(5), 296, 351(3), 317(4) and 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that the complainant, Devi Prasad Singh, lodged an FIR alleging that his granddaughter Sameeksha was blackmailed and threatened by the co-accused persons, namely Ayush Yadav, Prince Sahu, Adarsh Sharma, and Priyam Sharma, who coerced her into handing over Rs. 14.50 lakhs in cash and approximately 450 grams of gold jewellery. The name of the present applicant surfaced in the memorandum statements of the named accused persons detailing his role in the aforesaid offence. Thereafter, the applicant was arrested on 02.08.2026, and cash amounting to Rs. 48,500/-, stated to be part of his commission, was recovered from his possession.

3. Learned counsel for the applicant submits that the applicant is innocent, and his name finds no mention either in the FIR or in the original written complaint. He has been falsely implicated in the present case solely on the basis of the memorandum statements of the named co-accused, which are highly doubtful. It is further submitted that the allegation against the applicant is confined to assisting the named accused in disposing of the jewellery to local jewellers, which is a matter to be substantiated during trial; mere recovery of Rs. 48,500/- cannot, by itself, be treated as conclusive proof of his complicity. It is also submitted that although the applicant has one prior criminal antecedent of a similar nature, the same has been satisfactorily explained in Part-D (Criminal Antecedents) of this application. Considering that the charge-

sheet has already been filed, the applicant has been in judicial custody since 02.08.2026, and the trial is likely to take considerable time, he prays for the grant of regular bail.

4. On the other hand, learned State counsel opposes the bail application and submits that the applicant is alleged to have assisted the named accused in disposing of the jewellery to local jewellers and he has one criminal antecedent i.e. Crime No.373/2026, registered at P.S. Sarkanda. He further submits that considering the specific allegations, the recovery effected from the applicant and the criminal antecedent, the applicant is not entitled to the benefit of bail.

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

6. Although prosecution alleges that the present applicant facilitated the sale of jewellery to local jewellers and to have received Rs. 1,50,000/- as commission and cash amounting to Rs. 48,500/- has been seized from him, however, there is no allegation that he directly participated in threatening or intimidating the victim or in obtaining the alleged money and jewellery from her. His name also does not find mention in the original written complaint or FIR and he has remained in custody for considerable period. The investigation has substantially progressed and the applicant is no longer required for custodial interrogation. Therefore, without expressing any opinion on the merits of the case, considering the

nature of allegation, the period of custody and the role attributed to him and the overall material available on record, this Court is of the considered opinion that the applicant deserves to be enlarged on bail.

7. Accordingly, the bail application is **allowed**. It is directed that in the event of the applicant 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

Ajinkya