CGHC010409032026 2026:CGHC:46339

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1728 of 2026

1 - Arvind Kumar S/o Shri Manohar Aged About 29 Years R/o Sawarava, Village Baikunthpur, P.S. And Tehsil - Baikunthpur, Distt - Korea (C.G.)

--- **Applicant**

versus

1 - State Of Chhattisgarh Through Station House Officer P.S. - Gandhinagar, Distt - Sarguja (C.G.)

--- **Respondent**

(Cause title is taken from CIS system)

For Applicant : Ms. Chetana Sharma, Advocate

For Respondent/State : Mr. Avinash Singh, P.L.

BALRAM PRASAD DEWANGAN
Digitally signed by BALRAM PRASAD DEWANGAN

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

02/11/2026

1. This is the first bail application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the applicant who is apprehending his arrest in connection with Crime No. 271 of 2026 registered at Police Station Gandhinagar, District – Sarguja (C.G.) under Sections 317 (4), 318 (4), 61 (2), 3 (5) of B.N.S.

2. Case of the prosecution in brief is that a complaint was made by complainant Divya Ekka alleging that she was in need of obtaining a

loan for purchasing land and constructing a house she came into contact with accused Deepak Toppo, who introduced her to Shivshankar Das, stated to be the Director of Anshikarya Foundation Group. The accused persons allegedly represented that they could arrange bank loans and informed the complainant about a scheme under which she would receive 40% of the sanctioned loan amount, whereas 60% of the amount was to be deposited with the company and the company would thereafter pay the entire EMI. Believing such representation, the complainant allegedly provided her PAN Card, Aadhaar Card, Form-16, salary slip and bank statements to the accused persons. It is further alleged that on the basis of the documents furnished by the complainant, loans were sanctioned from different banks aggregating to approximately Rs.41.08 lakhs and after sanction of the loans the complainant was induced to transfer approximately Rs.28 lakhs into various bank accounts as directed by the accused persons. It is alleged that an amount of Rs.8 lakhs was transferred through RTGS to the account of Shravan Kumar and other amounts were transferred through NEFT/RTGS to accounts allegedly belonging to or controlled by persons associated with the accused. It is further alleged that the accused persons continued paying the loan instalments for some time but after June 2025, they stopped making the promised payments resulting in the complainant being burdened with the EMI liability. When the complainant demanded return of her money, the accused persons allegedly failed to repay the amount and gave various assurances and excuses. On the basis of the complaint an offence was registered at Police Station Gandhinagar, District Surguja (Ambikapur) under Sections 318(4) and 3(5) of the BNS,

2023. Subsequently, during the course of investigation on the basis of the material allegedly collected Sections 317(4) and 61(2) of the BNS, 2023 were added. The prosecution has further alleged that the accused persons along with their associates had similarly cheated several other persons and that the total amount involved in such alleged transactions is more than Rs.3 crores. It is also alleged that accused Arvind Kumar was associated with the other accused persons and facilitated the alleged transactions.

3. Learned counsel for applicant submits that applicant is innocent and he has been falsely implicated in this case. Applicant has not committed any offence as alleged. At the most from the nature of allegation it appears that this applicant helped the complainant in obtaining the loan and thereafter he has no role to play. It is further allegation that after sanction of loan, 60% has been deposited in the account of Anshikarya Foundation Group, however, no amount has been deposited in the account of applicant. One more criminal antecedents which is mentioned in the Part-D of the application has been simultaneously registered based on the complaint of other person. Hence, applicant may be extended benefit of anticipatory bail.

4. Learned State counsel opposes the submission of learned counsel for applicant. He submits that according to allegation, applicant is instrumental in sanction of loan and thereafter as per allegation, the applicant himself by taking mobile of complainant has transferred the amount in different accounts provided by one Shivshankar Das. Upon asking the State counsel submits that no amount has been transferred

in the account of applicant. He submits that applicant was absconding after registration of crime.

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

6. Taking into consideration the facts and circumstances of the case, the nature of allegation, submission made by learned counsel for respective parties and further considering that after registration of crime, applicant has submitted application for grant of anticipatory bail, which came to be dismissed and thereafter, this application is filed, no amount has been transferred in the account of applicant, without commenting anything on merits of the case, I am inclined to release the applicant on anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on anticipatory bail by the officer arresting him on his 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. Applicant shall also abide by the following conditions:-

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

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

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

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Balram