CGHC010409602026 2026:CGHC:47330

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9931 of 2026

- Dewanand Sethiya S/o Shree Jena Ram Aged About 45 Years Cast Sethiya R/o Kasturi, Sundi, Thana- Nagarnar, Distt- Bastar, (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through The Police Station Nagarnar, Distt- Bastar, (C.G.)

... Non-applicant

For Applicant	:	Mr. Ishan Verma, Advocate
For Non-Applicant	:	Mr. Sharad Mishra, G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

17.11.2026

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. 75/2026 registered at Police Station : Nagarnar, District : Bastar (C.G.) for the offence punishable under Sections 318(4), 61(2), 338 and 340(2) of Bhartiya Nyaya Sanhita, 2023.

2. The facts of the present case are that the Collector, Bastar, received a complaint from Ramnath Kashyap, Secretary of Vanwasi Sewa Bharti Trust, alleging forgery of documents pertaining to a portion of land bearing Khasra No. 4/14(a), admeasuring 2 acres, which had been donated to the Trust by Jagdev Ram vide donation deed dated 26.06.1990. During the course of the investigation, it was revealed that two agreements to sell had been executed for the said land: the first between Jagdev Ram and Gagan Kumar Nag on 18.08.2025, and the second between Gagan Kumar Nag and Nandu Toppo, which bears the signatures of the applicant and another person as witnesses. Investigation further revealed that Jagdev Ram had already passed away on 15.07.2020. The prosecution alleges that the applicant was involved in preparing forged documents and executing fraudulent transactions in respect of the deceased's land. Based on these allegations, FIR was lodged by Tehsildar, Jagdalpur, the crime was registered, and the applicant was arrested on 20.07.2026

3. Learned Counsel for the applicant submits that there is a dispute with regard to the land bearing Khasra No. 4/14(a), and the role of the applicant was limited to being a mere witness to the subsequent agreement to sell, without deriving any monetary benefit out of the alleged fraud. He further submits that the dispute appears to be of a civil nature, which has been given a

criminal colour by the complainant. He contends that the approach of the prosecution also appears to be discriminatory, as the applicant, who was one of the witnesses to the subsequent agreement to sell, has been arrayed as an accused, whereas the other witness has been left out. He further contends that although the applicant has one criminal antecedent of a similar nature, he has been languishing in jail since 20.07.2026 and the conclusion of the trial is likely to take time. Accordingly, he prays for the grant of regular bail to the applicant.

4. On the other hand, learned State Counsel opposes the bail application and submits that the applicant was actively involved in the preparation of fraudulent documents in respect of land belonging to the deceased Jagdev Ram, and the existence of one criminal antecedent of a similar nature demonstrates that he is a habitual offender. As such, he is not entitled to the benefit of bail.

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

6. While the applicant has one criminal antecedent of a similar nature and is alleged to have participated in preparing fraudulent documents concerning the land of the deceased Jagdev Ram, it cannot be overlooked that his role was confined to acting as a witness to the subsequent agreement to sell, without any monetary gain. Furthermore, neither has any money trail been

linked to him, nor has any recovery been effected from his possession.

7. Since the investigation is completed, charge-sheet has been filed and applicant has been in jail since 20.07.2026, the trial is likely to take sometime for its conclusion, I am of the opinion that the applicant is entitled to be released on bail in this case.

8. 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