CGHC010426972026 2026:CGHC:46027

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1802 of 2026

Dhruw Kumar Sahu S/o Narpat Lal Sahu Aged About 40 Years R/o Patharri-para Ward No. 12, (C.S.E.B. Colony, Korba In Front Of East N.C.-65), Police Station Rampur, Distt. Korba, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through The Station House Officer, P.S. Urga, Distt. Korba, Chhattisgarh **...Respondent**

MCRCA No. 1729 of 2026

Abhishek Chaurasiya S/o Rajkishore Chaurasiya Aged About 34 Years R/o Qr.No.Mig-1-67, Maharana Pratap Nagar, Korba, District Korba (C.G.) **... Applicant**

Versus

State Of Chhattisgarh Through - P.S. Urga, District Korba - (C.G.)

...Respondent

For respective Applicants : Mr. Amit Singh Chauhan and Mr. Vikas Kumar Pandey, Advocate

For Respondent-State : Ms. Sunita Manikpuri, G.A.

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

30/10/2026

1. Since, both the cases are arising out of same crime number therefore, they are being decided by this common order.

2. Applicants have preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as they apprehends their arrest in connection with Crime No. 536/2026 registered at Police Station - Urga, District Korba (C.G.) for the offence punishable under Sections 318(4), 316(5) & 3(5) of the BNS.

3. The prosecution case, in brief, is that on 30.09.2026, the complainant, namely Ashish Kumar, who was posted as District Coordinator (Pradhan Mantri Awas Yojana–Gramin), Zila Panchayat, Korba, lodged a written complaint at Police Station Urga, alleging that, on the basis of a complaint made by Shakuntala Kaiwartya, a Member of Janpad Panchayat, Korba, regarding misappropriation of government funds sanctioned for the construction of houses under the scheme at Gram Panchayat Tilkeja, a committee was constituted to conduct an enquiry. During the enquiry, it was found that funds had been sanctioned and released in favour of 48 beneficiaries, some of whom were already deceased. On the basis of the aforesaid complaint, the offences punishable under Sections 318(4), 316(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, were registered against the accused persons vide Crime No. 536/2026.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the present crime. He further submits that applicant Dhruv Kumar Sahu is working as a Data Entry Operator in Janpad Panchayat, Korba, whereas applicant Abhishek Chaurasia is working as a Technical Assistant,

whose duties are limited to field visits and verification of the status of construction under the Pradhan Mantri Awas Yojana.

5. Learned counsel for the respective applicants further submits that, even if any offence has been committed, the applicants have no role in its commission. They are neither responsible for receiving application forms nor are they authorised to disburse the funds sanctioned under the Pradhan Mantri Awas Yojana. It is further submitted that applicant Dhruv Kumar Sahu merely entered the particulars of the applications forwarded to him. The authority to disburse the sanctioned amount under the Pradhan Mantri Awas Yojana rests with the Samanvay Head at the Block Level (PMAY-G). Applicant, Abhishek, works in the field and has submitted report of the stage of construction. Only one installment was disbursed. Therefore, the applicants have no direct role in the alleged misappropriation of funds.

6. Learned State counsel opposes the submissions made by learned counsel for the applicants and submits that the applicants are employees of the office to which funds under the Pradhan Mantri Awas Yojana were sanctioned. However, on being specifically asked whether the applicants had received the application forms or disbursed the sanctioned amount, she fairly submits that there is no mention in the material available in the case diary to show that the applicants had either received the application forms or disbursed the sanctioned amount.

7. I have heard learned counsel for the respective parties.

8. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties,

without commenting anything on merits, I am inclined to allow these anticipatory bail applications.

9. Accordingly, applications are allowed and it is directed that in the event of arrest of applicants in connection with the crime in question (536/2026), 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 each 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 himself available for interrogation before the Investigation 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;
(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.

10. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(**Parth Prateem Sahu**)
JUDGE

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