CGHC010436842026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10624 of 2026

Amey @ Gopa Shrivastav S/o Naveen Shrivastav Aged About 29 Years R/o Banspara, Dhamtari, Ps- City Kotwali, Dhamtari, District- Dhamtari, CG

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station - City Kotwali, Dhamtari, District- Dhamtari, CG.

... Non-Applicant(s)

For Applicant	:	Mr. Shobhit Koshta, Advocate.
For Non-Applicant/State	:	Mr. Sumit Shrivastava, Add. Adv. Gen.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/11/2026

1. This is the second bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 118 of 2026 registered at Police Station City Kotwali, District Dhamtari (C.G.), for the offences punishable under Sections 318(4), 61(2), 112(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(C) of the

Information Technology Act, 2000.

2. Earlier, the first bail application of the applicant was rejected by this Court in MCRC No. 7788 of 2026 vide order dated 08.10.2026 on merits. Hence, the present second bail application.

3. The case of the prosecution, in brief, is that upon receiving secret information regarding certain persons involved in online fraud through the use of mule bank accounts for illegal financial transactions, the police conducted an investigation and allegedly found that the present applicant, Amey @ Gopa Shrivastava, along with other co-accused persons, fraudulently procured bank accounts of various persons and provided their details to co-accused Vikky Ahmed for the purpose of using the same as mule accounts to facilitate fraudulent online transactions. It is further alleged that the applicant received commission for facilitating the opening and supply of such bank accounts. On the basis of the aforesaid allegations, the present crime was registered against the applicant and other co-accused persons.

4. Learned counsel for the applicant would submit that the first bail application of the applicant has already been rejected by this Court on merits and the grounds for filing the present second bail application are that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the allegation against the applicant is limited to procuring bank accounts of different persons and supplying their details to co-

accused Vikky Ahmed, whereas there is no allegation that the applicant himself participated in any fraudulent online financial transaction. It is further submitted that no amount obtained through the alleged online fraud has been credited into the applicant's bank account and no incriminating amount representing the alleged commission has been recovered from his possession. He would also submit that the alleged financial transactions between the applicant and co-accused Vikky Ahmed were on account of their previous financial dealings and the amount received by the applicant was towards repayment of a loan advanced to the said co-accused. He would further submit that approximately 20 prosecution witnesses have already been examined and most of them, including the memorandum and seizure witnesses, have not supported the prosecution case. Even the bank officials examined during trial have not supported the allegation of any financial irregularity. It is further submitted that the applicant is in jail since 01.05.2026, there has been slow progress in the trial therefore, he prays for grant of bail to the applicant.

5. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the first bail application of the applicant has already been rejected by this Court vide order dated 08.10.2026 on merits, after considering the nature and gravity of the allegations and the material collected during investigation. He would further submit that the allegations against

the applicant relate to his active involvement in a coordinated cyber fraud racket involving procurement of several bank accounts and their use for routing substantial amounts obtained through fraudulent online transactions. The material collected during investigation, including technical evidence, call detail records and cyber fraud complaints linked with the transactions in the mule accounts, prima facie indicates the involvement of the applicant in the commission of the alleged offence. He would further submit that the examination of some prosecution witnesses during trial does not, by itself, constitute a ground for grant of bail. Therefore, the present second bail application deserves to be rejected.

6. I have heard learned counsel for the parties and perused the case diary and material available on record.

7. Having considered the facts and circumstances of the case, nature and gravity of allegations levelled against the applicant, the material collected during investigation indicating his alleged involvement in procuring bank accounts of different persons and supplying the details thereof to the co-accused for facilitating fraudulent online transactions and further considering the fact that the first bail application of the applicant has already been rejected by this Court vide order dated 08.10.2026 on merits, this Court is of the considered opinion that the grounds raised in the present application, including the fact that some prosecution witnesses

have not supported the prosecution case during trial, do not warrant reconsideration of the prayer for grant of bail at this stage. The Court cannot test the reliability or credibility of the prosecution witnesses at this stage, as such evaluation is strictly reserved for the final trial. Therefore, this Court does not find any sufficient ground to grant bail to the applicant.

8. Accordingly the present second bail application of the applicant is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal