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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 275 of 2026

1 - Firtinbai Sahu W/o Gaurishankar Sahu Aged About 50 Years R/o Village Adil, Police Station Malkharoda, District Sakti (C.G.)

2 - Leeladhar Sahu S/o Gaurishankar Sahu Aged About 32 Years R/o Village Adil, Police Station Malkharoda, District Sakti (C.G.) **... Applicants**

versus

State Of Chhattisgarh Through Station House Officer - Police Station, Baradwar, District Sakti (C.G.) **... Respondent**

For Applicants	:	Mr. Syed Mohammad Sohail Afzal, Advocate
For Non-Applicant/State	:	Mr. Nitansh Jaiswal, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

19.02.2026

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who have apprehending their arrest in connection with Crime No. 36/2026 registered at Police Station – Baradwar, District Sakti (C.G.) for the

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offences punishable under Sections 420 read with Section 34 of the IPC.

2. The prosecution story, in brief, is that the complainant/prosecutrix, Sarla Kumari Sahu, who is related to the applicants, alleged that in the year 2019 she had taken a loan of Rs.5,00,000/- under the Pradhan Mantri Loan Scheme from State Bank of India, Baradwar, and that the applicants, taking advantage of her disability, assured her of securing a government job on the post of Clerk in the Collector Office, Janjgir and demanded Rs.5,00,000/- on that pretext; it is further alleged that on 27.03.2019 the said amount was paid in cash to the applicants in the presence of certain villagers, but despite receiving the money, they neither arranged the promised job nor returned the amount, thereby committing an offence under Sections 420 and 34 of the BNS, and on the basis of these allegations, an FIR dated 31.01.2026 was registered, nearly seven years after the alleged incident.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that the submissions on behalf of the applicants are that the impugned FIR has been lodged with an ulterior motive as a counterblast to earlier legal proceedings initiated by them, and the sequence of events clearly shows misuse of the criminal process to pressurize and retaliate. Prior to the present FIR, the complainant's mother had initiated revenue proceedings bearing Case No.202505311000149/35-6 before the Tahsildar, Adbhar seeking inclusion of her name in ancestral property, and the present criminal case is a fallout of dissatisfaction with the said litigation; thereafter, disputes escalated when the complainant's family

allegedly created a disturbance at the applicants' house, leading to registration of FIR No. 15/2026 at the instance of Applicant No. 1 and a counter FIR No. 17/2026 by the complainant's mother, followed by the present FIR, clearly indicating retaliatory prosecution. It is further submitted that the alleged incident pertains to the year 2019 whereas the FIR was lodged only in January 2026 after an unexplained delay of nearly seven years, which seriously undermines the prosecution case; the dispute between the parties is essentially civil in nature relating to property and family settlement, and criminal proceedings have been misused to settle civil scores. The alleged payment of Rs.5,00,000/- in cash is unsupported by any documentary evidence, bank record, receipt, or contemporaneous complaint, and the applicants are first-time accused with no criminal antecedents; no recovery is pending and custodial interrogation would serve no useful purpose. Reliance is placed on the judgments of the Supreme Court of India in cases of Siddharam Satlingappa Mhetre and Sumitha Pradeep, wherein it has been held that anticipatory bail should be granted where arrest would cause unjustified humiliation and the prosecution appears doubtful. Considering the revenue litigation, cross FIRs, delayed complaint, family relationship, and absence of criminal antecedents, the case falls within exceptional circumstances warranting protection, and the applicants undertake to abide by all directions and conditions that may be imposed by this Hon'ble Court while granting bail.

4. On the other hand, learned State counsel opposed the anticipatory bail application of the applicant. .

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

6. Considering the facts & circumstances of the case, submissions of learned counsel for the parties and nature of dispute and materials available on record, without further commenting anything on merits, this Court find it appropriate to grant anticipatory bail to the applicants.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Firtinbai Sahu & Leeladhar Sahu**, on executing a personal bond and one local surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) they 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 them from disclosing such fact to the Court.
(b) they shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

(d) the applicants and the surety shall submit a copy of his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) they shall not involve themselves in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

vaibhav