



2026:CGHC:21379

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 3120 of 2026**

**Reserved on : 23.04.2026**

**Delivered on : 07.05.2026**

- Narayan Sahu s/o. Shri Hariram Sahu, aged about 46 years, r/o. Village Ichha, District Mahasamund (CG). **...Applicant.**

Versus

- State of Chhattisgarh through ACB (EOW), Raipur. --- **Respondent**

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For Applicant : Mr. Gagan Tiwari and Mr. Shashank Mishra,  
Advocates.

For State : Dr. Sourbh Kumar Pande, Dy. Advocate General.

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**Hon'ble Shri Justice Narendra Kumar Vyas**

**CAV ORDER**

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested on 24-02-2026 in connection with Crime No. 03/2024 registered at Police Station- Anti Corruption Bureau/ Economic Offence Wing Chhattisgarh, Raipur, District- Raipur (C.G.) for the offence punishable under Sections 420, 120-B and 384, of IPC and Sections 7, 7-A, 12 of the Prevention of Corruption Act,



1988.

2. The case of the prosecution, in brief, is that on 11.01.2024, one Mr. Sandeep Ahuja, Deputy Director, Directorate of Enforcement, Raipur through Mr. Farhan Qureshi, Deputy Superintendent of Police lodged a complaint before the Director General of Police Anti Corruption Bureau & Economic Offences Wing, Chhattisgarh pertaining to predicate offence discovered during money laundering in investigation File No. ECIR/RPZO/09/2022 was done under Section 66(2) of the Prevention of Money Laundering Act, 2002 (for short “the PMLA”). Thereafter, an offence bearing FIR No. 03/2024 has been registered on 17.01.2024 at Police Station ACB/EOW Raipur (C.G.) against 35 accused persons namely Smt. Saumya Chaurasiya, Sameer Bisnoi, Smt. Ranu Sahu, Sandeep Kumar Nayak, Shivshankar Nag, Suryakant Tiwari, Manish Upadhyay, Roshan Kumar Singh, Nikhil Chandrakar, Rahul Singh, Parekh Kurre, Moinuddin Qureshi, Virendra Jaiswal, Rajnikant Tiwari, Hemant Jaiswal, Joginder Singh, Nawneet Tiwari, Deepesh Taunk, Devendra Dadsena, Rahul Mishra, Ramgopal Agrawal, Devendra Singh Yadav, Shishupal Sori, Rampratap Singh, Vinod Tiwari, Amarjeet Bhagat, Chandradeo Prasad Rai, Brashpat Singh, Idrish Gandhi, Gulab Kamro, Shri U.D. Minj, Sunil Kumar Agrawal, Jai, Chandraparakash Jaiswal, Laxmikant Tiwari & others.
3. Further case of the prosecution is that a syndicate comprised of private individuals and other State Government functionaries like Smt. Saumya Chaurasiya, Director, Geology & Mining Department and with the backing of some political executives, managed to make deliberate policy changes. As part of the well-planned conspiracy, the applicant



with the active support of the politicians and some of the senior State Government functionaries managed to influence the then Director of Geology & Mining and got issued a Government Order dated 15.07.2020 which became the fountain head of this extortion system by converting the online system of issuance of Transport Permits into a manual system. They started a network of extortion to collect Rs. 25 per ton of coal transported in the State of Chhattisgarh. The investigation conducted by the Enforcement Directorate revealed that other senior bureaucrats viz., Smt. Saumya Chaurasia and Smt. Ranu Sahu, IAS were also involved in this conspiracy and were providing assistance to the applicant in running the extortion racket. Smt. Soumya Chourasiya while working as Deputy Secretary in Chief Minister Office, had assisted the applicant and his associates in collecting the extortion money by posting pliable officers of mining department in the coal mining areas. Smt. Ranu Sahu IAS, who worked as District Collector in coal rich Districts viz., Korba & Raigarh, had close association with the applicant and helped his associates in collecting extortion money from the coal transporters and other businessmen.

4. It is also case of the prosecution that in the coal rich areas of the State like Raigarh, Korba, Surajpur, District Mineral Officers made illegal recovery of Rs.25/- per tonne from coal transporters on the basis of the above manual, DO and permit related orders were issued from the Mineral Directorate. Investigation of the Enforcement Directorate that information received from sources revealed that illegal levy of approximately Rs.540/- crores have been collected by the above



syndicate between July, 2020 and June 2022. On the basis of the report received from the Enforcement Directorate, its confidential verification and source information in relation to above incident was done in the Bureau and Crime No.03/2004 for commission of offence under Sections 420, 120-B, 384 of IPC read with Sections 7, 7A & 12 of the Prevention of Corruption Act, 1988 as amended in 2018 (for short "the PC Act") was registered against the applicant.

5. From the case diary and the material so collected by the ACB/EOW, the **role** of present applicant is that during investigation, it was found that accused Narayan Sahu was the trusted driver of co-accused Suryakant Tiwari and was an active member of the illegal coal levy collection network. Investigation further revealed that on 30.06.2022, during search proceedings conducted by the Income Tax Department at the residence and office premises of accused Suryakant Tiwari and his associates, handwritten diaries relating to illegal coal levy collection were seized. The seized diaries contained entries in the name of "Narayan", which, during investigation, have been found to relate to the present applicant Narayan Sahu. It has further come on record that on the instructions of Suryakant Tiwari, the applicant used to collect illegal cash from coal traders and coal transporters in Raipur district and other places and deposit the same with Rajnikant Tiwari. The applicant also used the proceeds arising out of the illegal coal levy collection for meeting day-to-day expenses of Suryakant Tiwari and his family.
6. The analysis of the diaries seized by the Income Tax Department revealed that approximately Rs.13 crore in illegal cash was collected on behalf of the coal syndicate being run by accused Suryakant Tiwari.



Investigation further revealed that out of the said proceeds of crime, approximately Rs.7.5 crore in cash was delivered/transferred by the present applicant to Smt. Saumya Chaurasia, Shri Sameer Vishnoi, Shri Jaiprakash Maurya, Shri Vinod Tiwari, Shri Devendra Yadav, Shri Rampratap Singh and other persons connected with the conspiracy.

7. The investigation so far clearly shows that the present applicant was not a mere driver or peripheral person, but was actively involved in collecting illegal cash generated through illegal coal levy, transporting the same, and distributing such cash to various beneficiaries at the instance of Suryakant Tiwari and other members of the syndicate. Thus, the applicant knowingly and actively participated in the acquisition, transfer, handling and use of proceeds of crime arising from the illegal levy.
8. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the crime in question. He would further submit that FIR, is wholly devoid of any allegation against the Applicant as no role, overt-act, or involvement of the Applicant is disclosed in the said FIR in respect of the offences alleged therein. He would further submit that the Applicant has not even been arraigned as an accused in the subject FIR and subsequent 5 charge-sheets also, therefore, any attempt to connect the Applicant with the subject FIR is manifestly untenable in law and appears to be nothing but an abuse of process intended solely to harass the Applicant.
9. He would further submit that since the registration of the said FIR, the Respondent Agency arrested many individuals and has filed 5 charge-sheets on 18.07.2024, 07.10.2025, 15.12.2025, 26.05.2025, and



10.03.2026 against 27 accused persons in total. The Directorate of Enforcement has taken FIR No. 03/2024 as the scheduled offence and has filed 4 Prosecution Complaints 10 against 35 persons. He would further submit that the Applicant has not been named as an accused in any of the charge-sheets, prosecution complaints, or even in the FIRs, including the Bangalore FIR, and no allegation whatsoever has been made against him in any of the said proceedings. The absence of the Applicant's name from all such charge-sheets, prosecution complaints and FIRs clearly demonstrates that there is no substantive or legally sustainable material connecting the Applicant with the alleged offences.

10. He would further submit that the manner in which the Respondent has proceeded in the present matter itself discloses a wholly arbitrary, unfair and malafide exercise of investigative powers. The allegation against the Applicant is primarily that he was associated with or had knowledge of the functioning of the alleged syndicate just because he was the driver of one of the co-accused Suryakant Tiwari, and that he allegedly acted as a link or facilitator in the larger chain of events. He would further submit that the investigation is being driven not by credible and independent material, but by statements allegedly extracted from persons having a direct interest in 13 shifting blame and securing benefit for themselves.
11. He would further submit that the *modus operandi* and trend 2 of the Respondent Agency wherein despite there being lack of any admissible or incriminating material, bogus material is fabricated by the Agencies. He would further submit that the statements of persons who themselves are prime accused/complicit/accomplice are relied upon by



the Agency but these statements are obtained by the agencies as a quid *pro quo* from those individuals wherein in lieu of falsely implicating the Applicant, they are given immunity/protection from further arrests/cases. He would further submit that there is no allegation of any demand or any acceptance by the Applicant but there is no recovery whatsoever from him. As such there can be no case of invocation of provisions of Prevention of Corruption Act that is made out. He would further submit that no evidence has been produced to connect the applicant with the alleged offence and his name appears in the final report merely on the basis of presumption, without any direct or indirect material.

12. He would further submit that in order to establish a *prima facie* case, the prosecution agency was required to place cogent evidence showing that someone has been put to wrongful loss solely on account of the acts of the present applicant. However, no such material has been brought on record in the final report and in absence of any *prima facie* evidence against the applicant, no offence under the provisions of Bhartiya Nyay Sanhita or the Prevention of Corruption Act is made out against the applicant. He would further submit that it is settled law that the statements of the witnesses recorded under Section 161 & 164 of the Cr.P.C. are not admissible in law. He would further submit that the statement of co-accused person is an extremely weak piece of evidence and cannot be treated as substantive evidence as against the other co-accused persons as held by Hon'ble the Supreme Court in case of **Prem Prakash Vs. ED [SLP (Cri.) No. 5416 of 2024, decided on 28.08.2024]**, **Haricharan Kurmi Vs. State of Bihar [AIR 1964 SC**



**1184] & Sanjay Jain Vs. ED [2024 SCC OnLine SC 656].**

13. He would further submit that there is no apprehension of violation of the triple test by the applicant, therefore, the applicant is entitled to be released on bail as it is well settled law that mere apprehension of influencing witnesses or tampering with evidence can never be a ground to decline bail to any accused, unless there is cogent supporting material as held by Hon'ble the Supreme Court in case of **P. Chidambaram Vs. CBI [2020 13 SCC 337]**, **Manish Sisodia Vs. ED & CBI [(2024) SCC OnLine SC 1920]**, **Manish Sisodia Vs. CBI & ED [(2023) SCC OnLine SC 1393]**. He would further submit that the applicant has not made any attempt to suborn witnesses, tamper with the evidence, or in any manner pollute or obstruct the judicial process. Further, the applicant undertakes that he shall not tamper with the evidence or/and influence witnesses, nor there is any reasonable or justifiable apprehension thereof. He would further submit that the entire evidence relied upon the non-applicant is documentary in nature which already stands seized and placed on record. There are no ocular witnesses requiring confrontation with the applicant while in custody, thereby negating the need for further custodial interrogation. He would further submit that permanent arrest warrant was issued against the present applicant on 7-5-2025 and he himself surrendered on 24-2-2026 as such, it cannot be presumed that the applicant was not cooperating with the investigation agency.
14. He would further submit that the co-accused persons namely Ranu Sahu, Suryakant Tiwarii, Sameer Vishnoi and Saumya Chaurasiya have already been granted bail by the Hon'ble Supreme Court vide



order dated 29-5-2025 passed in SLP (Cri) No. 15941 of 2024, therefore, the present applicant may also be enlarged on bail on the ground of parity. He would further submit that the applicant is ready and willing to furnish adequate surety and shall abide by all the directions which may be imposed by this Court. He would further submit that now the challan of the case has been presented before the trial Court and no investigation is pending, the accused is in custody since 24-2-2026 and trial of the case will take sufficient time to be concluded, therefore, the benefit of bail may be granted to the present applicant.

15. On the other hand, **Dr. Saurabh Kumar Pande**, Deputy Advocate General for the ACB/EOW opposing the submissions made by learned counsel for the applicant, referring to the FIR and the case diary would submit that the applicant is involved in the economical offence which is not only heinous offence but also against the economy of the nation. The custodial interrogation of the applicant is required as the applicant has not disclosed the source of income from where these properties have been detailed in the final report and if the accused remained in the custody, the sources of purchased of property can be traced out. He would further submit that the learned Special Judge (Prevention of Corruption Act), Raipur while dismissing the bail application filed by the applicant has observed that there is involvement of the applicant in the crime in question, which has not been rebutted by the applicant while making this submission before this Court. He would further submit that the investigation in the matter is still continuing and several material witnesses connected with the collection, handling and delivery of illegal



cash are yet to be fully examined. If the present applicant is enlarged on bail at this stage, there is every likelihood that he may influence or intimidate witnesses, tamper with evidence and adversely affect the course of further investigation, particularly when he was closely associated with the principal accused and was entrusted with collection and delivery of proceeds of crime as such his custody is required.

16. He would further submit that the present applicant remained absconding and avoided joining the investigation for nearly two years after registration of the FIR. This conduct clearly establishes deliberate non-cooperation and intentional evasion of the due process of law. The said conduct is a material circumstance against the applicant, as it indicates that if he is enlarged on bail, there is every likelihood of his again absconding, evading trial, influencing the course of investigation and frustrating the administration of justice. A person who has consciously remained away from investigation for such a long period does not deserve the discretionary relief of bail. He would further submit that the present case is not an ordinary offence but forms part of a deep-rooted economic conspiracy involving illegal levy collection on coal transportation on a massive scale, causing serious prejudice to public interest and undermining the integrity of the administrative system. Such offences have wide societal impact and therefore deserve a strict approach at the stage of consideration of bail. In view of the facts stated herein-above, it is clear that the present applicant is involved in the aforesaid crime. Investigation in the matter is still going on and, after completion of due investigation, the Police shall file appropriate supplementary charge-sheet before the Court having



competent jurisdiction. The grounds urged by the applicant are false, frivolous and devoid of merit. The applicant has not made out any ground on which the present bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 can be allowed. There is a strong prima facie case against the present applicant/accused and, therefore, looking to the evidence collected by the prosecution, the conspiracy and crime committed by the applicant in connivance with the other co-accused, the instant application deserves to be rejected.

17. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.
18. The submission of learned counsel for the applicant that the trial will take longer time for disposal, therefore, the case of the applicant may be considered for grant of bail, is being considered by this Court. From perusal of the order-sheet of the trial Court which has been produced by learned State counsel in Special Criminal Case No. 02/2024 wherein it is revealed that on 06.05.2025 an application for issuance of arrest warrant was moved against Navneet Tiwari, Ramgopal Agrawal, Devendra Dadsena and Narayan Sahu and the same was allowed by the learned trial Court by observing that the accused are avoiding their arresting accordingly, it has issued indefinite/undated warrant of arrest. The other accused except the applicant after issuance of warrant of arrest by the trial Court on 06.05.2025 have been arrested on 24.02.2026 and during intervening period the applicant has filed anticipatory bail application before this Court which has been rejected on 16.10.2025 and thereafter he has preferred Special Leave Petition (Criminal) before Hon'ble the Supreme Court for grant of anticipatory



bail which has been rejected on 24.02.2026, thereafter only he has surrendered before the trial Court. This conduct of the applicant clearly indicates that he intend to avoid the proceedings and to delay the trial. Thus, it can be held that the applicant is also attributed for delaying the trial, thus, his submission for grant of bail on the count of delay of trial, is liable to be rejected, accordingly, it is rejected.

19. The further submission of learned counsel for the applicant that the applicant was arrested illegally as there is no direct evidence against the applicant, is being considered by this Court. The other accused Ishwar Sidar in his statement recorded under Section 164 of the Cr.P.C. has stated that the applicant is driver of Suryakant Tiwari and when Narayan Sahu is not available, he used to take money on instruction of Rajnikant who is elder brother of Suryakant Tiwari to deliver the money in the house of Saumya Chaurasia at Bhilai and also give money to Manish Upadhyay at his resident Surya Apartment. Though the statement recorded under Section 164 of the Cr.P.C. is weak piece of evidence but this statement cannot ignore at this juncture while prima facie recording opinion regarding involvement of the applicant in the crime in question. Thus, from perusal of FIR and the material available in the case diary, involvement of the applicant in commission of offence under Sections 420, 120-B, 384 of IPC read with Sections 7, 7A & 12 of the PC Act, which is economic offence, is *prima facie* reflected. Hon'ble the Supreme Court while considering the gravity of economic offence in case of **P. Chidambaram Vs. Directorate of Enforcement, [(2019) 9 SCC 24]** has held that the economic offence is a serious offence and need to be visited with different approach in the matter of bail.



20. Again Hon'ble the Supreme Court in case of **Ramesh Bhavan Rathod Vs. Vishanbhai Hirabhai Makwana (Koli) & another [(2021) 6 SCC 230]** has held that for declining bail application, the Court should consider whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; nature and gravity of the accusation; severity of the punishment in the event of conviction, danger of the accused absconding or fleeing, if released on bail or reasonable apprehension of the witnesses being influenced. From submission made by the parties, it is quite vivid that *prima facie* these conditions are available on record as the applicant after issuance of indefinite warrant of arrest on 06.05.2025 has surrendered on 24.02.2026 after exhausting all these attempt to escape from the clutches of the prosecution.
21. Further submission of learned counsel for the applicant is that the applicant is entitled to claim parity as other accused persons have been granted bail by Hon'ble the Supreme Court, deserves to be rejected as other accused who remained in the custody for about two years have been granted bail by Hon'ble the Supreme Court whereas the applicant has been surrendered on 24-2-2026 after issuance of warrant of arrest. Considering the FIR and other material placed on record, it *prima facie* shows involvement of the applicant in crime in question. As such, I am of the view that it is not a fit case where the applicant should be granted regular bail.



22. Accordingly, the instant bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is liable to be and is hereby rejected.
23. The observation made by this Court is not bearing any effect on the trial of the case. The learned trial court will decide the criminal trial in accordance with evidence, material placed on record, without being influenced by any of the observations made by this Court while deciding present bail application.

**Sd/-  
(Narendra Kumar Vyas)  
Judge**

Raju