



2026:CGHC:5604



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9980 of 2025

Dharmendra Prasad S/o Ramkumar Suryavanshi Aged About 28 Years R/o Village Pura Bahurta, P.S. Takhatpur, Distt. Bilaspur, Chhattisgarh.

...Applicant

versus

State Of Chhattisgarh Through Station House Officer, P.S. Range Cyber, Distt. Bilaspur, Chhattisgarh.

...Non-applicant

For Applicant : Ms. Divya Sahu, Advocate.

For Non-applicant/State : Mr. S.S. Baghel, G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice
Order on Board

31.01.2026

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. 18/2025 registered at Police Station – Range Cyber District – Bilaspur (C.G.), for the offences punishable under Sections 61(2), 317(5), 318(4), 323, 111(4) of the BNS 2023.
2. The case of the prosecution in brief is that upon receiving instructions



from Police Headquarters to investigate mule accounts and take action, information was obtained from IDBI Bank, Bilaspur, through the Government of India's Samanway (JMIS) portal regarding a suspicious account maintained by Dharmendra Prasad, son of Ramkumar Suryavanshi, resident of Pura Bahorata, Police Station Takhatpur, District Bilaspur (C.G.). During the investigation, it was found that five victims from Karnataka, Uttar Pradesh, and Tamil Nadu had their amounts ranging from Rs. 2,000/- to Rs. 31,750/- fraudulently transferred into this account without their consent. Further, between 24/04/2025 and 21/07/2025, a total sum of Rs. 20,44,274/- was credited and transferred from the said account. It was established that the account holder, in criminal conspiracy with others, fraudulently routed and laundered money obtained from the victims. On these facts, FIR Crime No. 18/2025 was registered for offences punishable under Sections 61(2), 317(5), 318(4), 323, and 111(4) of the Bharatiya Nyay Sanhita, 2023, and investigation was initiated. The present applicant was arrested, and after completion of the investigation, a charge-sheet was filed before the competent court.

3. Learned counsel for the applicant submits that the applicant is wholly innocent and has been falsely implicated in the present case. He further submits that applicant has been falsely implicated in this case. He has neither committed nor participated in any act that may amount to the offences alleged. The applicant is a first-time offender with clean antecedents and has no previous involvement in any criminal case, which is a strong factor in favour of granting bail in economic or cyber offences when the accused is not a habitual offender. The entire investigation has been completed, and the final report/charge-sheet



has already been submitted before the competent court; no recovery, discovery, or custodial interrogation is required from the applicant. There is no allegation or evidence that the applicant personally cheated, induced any complainant, made any phone calls, sent links, or created any fake profile/ID, as the prosecution itself contends that unknown cyber fraudsters used his account to route the proceeds of crime. Although a total of Rs. 20.44 lakh passed through his account over three months, only five small complaints totaling Rs. 47,350/- have been linked, showing that his account was one among many mule accounts used by the real offenders. The applicant has not personally retained or enjoyed any major portion of the alleged crime proceeds. All evidence in the case is documentary and electronic, already in possession of the investigating agency, and there are no eyewitnesses or victims who can be threatened or influenced. Offences under Section 318(4) BNS and IT Act cases normally take several years to conclude, and keeping the applicant in jail for such a long period before trial, when the maximum punishment is only five years, would amount to pre-trial punishment. The applicant has already remained in custody for more than four months, and continued incarceration violates the principles laid down by the Hon'ble Supreme Court in *Satender Kumar Antil v. CBI (2022)* and *Arnesh Kumar v. State of Bihar*. In view of the settled principle that "bail is the rule and jail is the exception," and considering the prima facie lack of evidence against the applicant, the charge-sheet having been filed, and the absence of any requirement for custodial interrogation, the applicant is entitled to be enlarged on regular bail in the interest of justice. He is a permanent resident of the address mentioned in the cause title, and



there is no likelihood of his absconding. The applicant is ready to furnish adequate surety and shall abide by all conditions and directions that may be imposed by this Hon'ble Court.

4. Learned State Counsel opposes the bail application of the present accused applicant and submits that the charge-sheet has already been filed in Crime No. 18/2025, in which the applicant is the main accused. During investigation, it was found that the applicant, in connivance with other accused, fraudulently misappropriated large sums from multiple victims across various States through his IDBI Bank account and the bank account of his wife, totaling over Rs. 2.42 crore. The offences are economic in nature, involving a well-planned conspiracy, and the applicant's prima facie involvement is evident. It is submitted that if enlarged on bail, the applicant is likely to abscond, interfere with the investigation, or regroup with criminal associates, thereby posing a serious threat to society. The Investigating Officer has complied with all directions of this Hon'ble Court, and the facts stated in the affidavit are true and based on official records.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the overall facts and circumstances of the case and upon perusal of the material collected during investigation, it is evident that the present applicant is the accused in Crime No. 18/2025, registered at Police Station Range Cyber, Bilaspur, District Bilaspur (C.G.), for offences punishable under Sections 61(2), 317(5), 318(4), 323, and 111(4) of the Bharatiya Nyay Sanhita, 2023. Investigation reveals that the applicant, in connivance with other accused, fraudulently



misappropriated substantial sums from multiple victims across various States, totaling over Rs. 2.42 crore, through his IDBI Bank account and the City Union Bank account of his wife. It is further established that the applicant conspired with others to open bank accounts in the names of victims and transact money without their consent. Considering the serious and economic nature of the offences, the organized and deep-rooted conspiracy involved, the large scale of misappropriated funds, and the fact that the applicant was arrested after considerable efforts by the police, it is apprehended that if enlarged on bail, he may abscond, influence the evidence, or regroup to commit further offences, thereby adversely affecting the investigation and posing a threat to society. In view of the above, the bail application of the present applicant is hereby rejected.

7. Accordingly, the bail application of the applicant namely, **Dharmendra Prasad**, involved in Crime No. 18/2025 registered at Police Station – Range Cyber District – Bilaspur (C.G.), for the offences punishable under Sections 61(2), 317(5), 318(4), 323,111(4) of the BNS 2023, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice