



CGHC010159442026



2026:CGHC:28244

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3781 of 2026

Dharmendra Kumar Banjare S/o Rikhiram Banjare Aged About 45 Years
R/o K-42, Classic City, Tekari Road, Parsulidih, Raipur, District- Raipur
(C.G.)

... Applicant

versus

State Of Chhattisgarh Through- Station House Officer, Police Station
Vaishali Nagar, Supela, Bhilai, District- Durg (C.G.)

... Non-Applicant

For Applicant	:	Shri Ajit Singh, Advocate.
For Non-Applicant	:	Shri Sangharsh Pandey, GA.
For Objector	:	Shri Abhyuday Tripathi, Advocate.

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

08/07/2026

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.128/2026 registered at Police Station Vaishali Nagar District
Durg (C.G.) for the offence under Sections 318 (4) and 3 (5) of the

BNS, 2023.

2. The prosecution case, in brief, is that the complainant lodged an FIR on 30.3.2026 stating that the present applicant in connivance with co-accused Akriti Sharma induced the complainant in the year 2024 to invest money on the false pretext that investment in AMS Solution Company would yield high returns and the said amount would be doubled within a short period with 10% monthly return. It is alleged that initially Rs.8 lakhs was taken from the complainant, out of which an amount of Rs.1,75,000/- was returned from time to time to gain his confidence. Thereafter the complainant was induced to invest further amount on assurance of higher returns and increased interest. Accordingly, the complainant invested different amounts on different dates, which were allegedly transferred in the name of Abhay Kumar Gupta stated to be founder and director of M/s R.V. Groups. In total, an amount of Rs.38,25,000/- was invested by the complainant on the promise that the same would be doubled within 3 months. However, after the lapse of stipulated period, when the applicant failed to return the amount invested by the complainant, report was lodged. Hence the present bail application.
3. It has been argued by learned counsel for the applicants that the applicant is innocent and has been falsely implicated in the crime. The entire prosecution story is misconceived and based on false allegations without any direct involvement of the applicant. The trial Court has rejected the bail application only relying upon

memorandum statement of the applicant to the effect that he has received case amount of Rs.8 lakh. On perusal of the prosecution case and the contents of the allegations, it appears that the complainant, namely Jaideep Kanda, had himself invested money in M/s RV Group at his own risk and volition. Despite widespread public awareness through media and social media, as well as general advisories cautioning the public against schemes promising abnormally high returns or doubling of money, the complainant proceeded with such investment. The complainant was fully aware of the risks and nevertheless chose to invest a substantial amount. Even otherwise, the allegation that the present applicant induced the complainant to invest an amount of Rs.38,25,000/- is baseless and not supported by any credible material. No act of cheating, misrepresentation, or dishonest inducement can be attributed to the applicant. On the contrary, it appears that the complainant, driven by the desire to earn higher returns, voluntarily invested his own funds and is now attempting to shift the burden of his own financial decision upon the applicant by lodging a false complaint. It is therefore submitted that the allegations made against the applicant are false, misconceived, and devoid of merit, and the applicant is in fact being wrongly implicated. The applicant had no direct role in the alleged inducement or collection of money. Similarly placed co-accused person, including the main directors and partners of the alleged company have already been granted bail by this Court as well as

by the trial Court. Therefore, on the principle of parity, the applicant is also entitled to be released on bail.

4. On the other hand, learned counsel appearing for the State/non-applicant and counsel for the Objector would oppose the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, and the fact that the charge sheet has already been submitted against the applicant, the applicant has no criminal antecedents, the applicant is in jail since 31.3.2026, co-accused persons have already been released on bail by this Court vide orders passed in MCRC Nos.6195/2025 & 6293/2025, conclusion of the trial is likely to take some time, this Court is of the view that the applicant is entitled to be released on bail in the present case.
7. Let the Applicant – **Dharmendra Kumar Banjare**, involved in Crime No.128/2026 registered at Police Station Vaishali Nagar, District Durg (C.G.) for the offence under Section 318 (4) & 3(5) of the BNS, 2023, be released on bail on furnishing **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-
 - (i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are

present in Court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through their counsel. In case of his absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicants are deliberate or without sufficient cause, then it shall be open for the trial court to treat such

default as abuse of liberty of bail and proceed against them in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice

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