



CGHC010294652026

2026:CGHC:33843

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7040 of 2026

1 - Ghulaam Haider S/o Mohammed Islam Khan Aged About 26 Years (Wrongly Mentioned As 32 Years) R/o Nizami Chowk, Krishna Nagar, Supela, District- Durg (C.G.) Presently Residing At Office Of Masaudi Enterprises, Khutpalli, Thana- Bhedan District- Bargarh (Odisha)

2 - Ghulaam Mohammed S/o Mohammed Islam Khan (Wrongly Mentioned Mohammed Islam) Aged About 40 Years R/o Nizami Chowk, Krishna Nagar, Supela, District- Durg (C.G.) Presently Residing At Office Of Masaudi Enterprises, Khutpalli, Thana- Bhedan District- Bargarh (Odisha)

... Applicants

Versus

State Of Chhattisgarh Through- The Station House, Officer, Pusour, District- Raigarh (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Hari Agrawal, Advocate

For Respondent(s) : Mr. Sangharh Pandey, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

04.08.2026

1. The applicants have preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as they are arrested in connection with Crime No. 79/2026, registered at Police Station – Pusour, District – Raigarh (C.G.) for the offence punishable under Sections 318 (2), 317 (5), 336 (3), 338, 340 (2) and 61 of B.N.S.
2. That, the prosecution case, in brief, is that on 13.03.2026, acting on secret information, the police intercepted two trucks bearing registration Nos. CG-04-PT-2645 and CG-04-PB-9652, which were stationed at Pusour Petrol Pump and were carrying M.S. scrap material under suspicious circumstances. During inquiry, the drivers of the said trucks, namely Suraj Bhoi and Kuber Yadav, allegedly failed to produce valid invoices and informed the police that the scrap material had been loaded from Masodi Enterprises, Balangir (Odisha) for delivery to accused Neeraj Agrawal of Mahamaya Steel, Punjipathra, Raigarh. During the course of inquiry, it was found that there was a discrepancy between the invoices and GST e-way bills produced by accused Neeraj Agrawal and

the oral statements made by the drivers of the aforesaid trucks. Consequently, FIR bearing Crime No. 79/2026 was initially registered against the named accused persons, namely Kuber Yadav, Suraj Bhoi, and Neeraj Agrawal, for the offences punishable under Sections 3(5), 317(5), and 318(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS). Thereafter, during the course of investigation, it was allegedly found that the GST e-way bills had been manipulated by the present applicants, who are the proprietors/owners of Masodi Enterprises, and that such manipulation resulted in loss of GST revenue to the Government. Accordingly, the applicants were arrested on 19.07.2026. Upon completion of the investigation, a final report (charge-sheet) was filed against the applicants and the other co-accused persons for the offences punishable under Sections 318(2), 317(5), 336(3), 338, 340(2), and 61 of the Bharatiya Nyaya Sanhita, 2023. Hence these bail applications.

3. It has been argued by the learned counsel for the applicants that the applicants are innocent and have been falsely implicated in the present case. It is further submitted that the applicants have been in judicial custody since 25.04.2026 and have no criminal antecedents. Learned counsel further submits that one of the co-accused, namely Neeraj Agrawal,

has already been granted anticipatory bail by the Division Bench of this Court vide order dated 15.07.2026 passed in MCRCA No. 1059 of 2026. It is also submitted that the charge-sheet has been filed and that the conclusion of the trial is likely to take a considerable amount of time. Therefore, it is prayed that the applicants be enlarged on regular bail.

4. On the other hand, learned counsel for the State opposes the bail applications and submits that the charge-sheet has been filed before the Competent Court.
5. I have heard learned counsel for the parties and perused the material available on record.
6. After hearing the submissions advanced by the learned counsel for the parties and upon considering the material available on record, this Court takes note of the fact that the applicants have no criminal antecedents. This Court further takes into consideration that one of the co-accused, namely Neeraj Agrawal, has already been granted anticipatory bail by the Division Bench of this Court vide order dated 15.07.2026 passed in MCRCA No. 1059 of 2026. It is also noticed that the charge-sheet has already been filed, the applicants have been in judicial custody since 25.04.2026, and the conclusion of the trial is likely to take a considerable period of time.

Without expressing any opinion on the merits of the case, this Court is of the considered view that the applicants have made out a case for grant of bail. Accordingly, the application is allowed.

7. Let the applicant No. 1- **Ghulaam Haider**, Applicant No. 2- **Ghulaam Mohammed**, involved in Crime No. 79/2026, registered at Police Station – Pusour, District – Raigarh (C.G.) for the offence punishable under Sections 318 (2), 317 (5), 336 (3), 338, 340 (2) and 61 of B.N.S, be released on bail on their furnishing **a personal bond** with **two local 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 his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him 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 applicant is 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 him in accordance with law.

8. 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