



2026:CGHC:14779

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 868 of 2026

Reserved on : 20.03.2026

Delivered on : 30.03.2026

Devendra Dadsena s/o Shri Dashrath Prasad Dadsena, aged about 54 years, resident of Avanti Vihar, A-17, Basant Corner, Sector-2, Raipur, District Raipur, Chhattisgarh.

... Applicant

versus

State of Chhattisgarh Through Anti Corruption Bureau (Economic Offences Wing), near Jai Jawan Petrol Pump, Raipur, District Raipur, Chhattisgarh.

--- Respondent

For Applicant : Mr. Amrito Das, Advocate.

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

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 18-7-2025 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 384, 420, 120-B, 467, 468 and 471 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, complainant 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 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's 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 the accused-Devendra Dadsena served as an accountant with the Chhattisgarh Pradesh Congress Committee (PCC) from 2000 to 2023 and later on became personal assistant to accused Ramgopal Agrawal, Treasurer of Chhattisgarh Pradesh Congress Committee and was working directly under his supervision and control. As per the prosecution case, the applicant was not only handing the accounts but also engaged in political and illegal financial activities. It is also case of the prosecution that from 2019, Ramgopal Agrawal specifically assigned him the responsibility of collecting money and introduced him to accused Suryakant Tiwari for this purpose and from July 2020 to June 2022, the illegal coal levy collected from coal-rich districts of Chhattisgarh State was collected by Suryakant Tiwari's associates, Nikhil Chandrakar, Rajnikant Tiwari and Roshan Singh, on applicant's instructions the extorted money was handed over to Devendra Dadsena at Congress Bhawan, who accepted it, knowing that the money was extorted from coal traders and transporters. The said funds were then distributed for political purposes and election expenses under Ramgopal Agrawal's instructions.

6. The investigation also revealed that handwritten diaries seized during the Income Tax Department's search on 30th June, 2022, contained entries titled "Bhavan" or "Congress Bhawan," which corroborated the fact that the recovered funds were deposited at Congress Bhawan, Raipur. Furthermore, witness statements have established that Devendra Dadsena not only received this illegal money but was also actively involved in its distribution and he was also involved in collection of money received from liquor scam and paddy scam on the instructions of Ramgopal Agarwal. He also collected these illegally collected funds and handed over them to Congress Bhawan, Raipur. The statements of witnesses Deepen Chavda and Pappu Bansal confirm that Dadsena collected the money related to these scams and handed it over directly to Ramgopal Agarwal.
7. In the present case, it was established that in June 2022, when the Income Tax Department (IT) and the Enforcement Directorate (ED) began raids related to the coal levy scam, accused Ramgopal Agarwal instructed accused/Devendra Dadsena to switch off his mobile phone and flee away from Chhattisgarh. This clearly indicates his involvement and guilt in the crime in question. The case was established by entries in diaries seized by the Income Tax Department, statements from witnesses and analysis of financial flows, indicating that approximately ₹52 crore (approximately 520 million) of illegal funds were deposited at Congress Bhawan, Raipu, and were directly managed and distributed by Devendra Dadsena. Thus, his role was not only that of a collector of illegal funds, but also that of a key operator and facilitator of this organized crime network.

8. The details of the entries in the diary are as follows:-

S. No	Diary named as	Date	Outgoing amount	Exact wordings written in the diary
1.	BS 01	30.03.2022	50000000	Gave it in the Bhawan.
2.	BS 02	06.05.2022	80000000	Bhawan Mai Kikhil RKT Dwara
3.	BS 02	07.06.2022	87000000	Bhawan C
4.	BS 05	29.12.2022	5500000	C Party Ko.
5.	BS 05	20.01.2021	35000	C Party Kam Tha
6.	BS 05	08.02.2021	10000000	C Party Bhawan Mai.
7.	BS 05	01.03.2021	22000000	Bhawan Mai Jama Rajni Nikhil
8.	BS 08	27.09.2021	40000000	Bhhawan Mai Diye+1 Cr Company 4+1(Total Bhawan Mai Jama).
9.	BS 09	27.01.2021	20000000	Bhawan Mai Jama
10	BS 09	27.01.2022	60000000	LKT se Laya Sham ko Bhawan Mai Diya.
11.	BS 09	27.01.2022	20000000	SKT se Diya Bhawan Mai.
12.	BS 14	17.07.2021	1950000	Bhawan Aur Company ka Jama Nikhil.
13.	BS 14	17.07.2021	20500000	Bhawan Mai Surya Ka Jama.
14	BS 25	10.06.2021	20000000	Bhawan/Nikhil/Roshan
15	BS 25	10.06.2021	10000000	Bhawan Mai Diye.
16.	BS 30	29.12.2020	19200000	C Party.
17	BS 30	20.01.2021	35000	C Party Ka tha

18.	BS 41	02.03.2022	40000000	Bhawan May Diya
19.	BS 41	02.03.2022	20000000	Bhawan May Jama
	TOTAL			52,62,20,000/-

9. The material collected during investigation, including seized handwritten diaries, corroborative witness statements and connected disclosures, clearly indicates that the quantum involved is extremely high and runs into crores and the role attributed to the applicant is serious in nature. In such serious economic offences involving organized conspiracy and huge cash movement, grant of bail at this stage would defeat the ends of justice, especially when the applicant is shown to be an essential link in the chain of receipt, custody and further transmission of the illegally collected funds.
10. 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 arrest of the applicant is illegal and mala fide. The only allegation leveled against the applicant is that the applicant being Personal Assistant of Shri Ram Gopal Agrawal, was allegedly money to be given to Shri Agrawal. This is the only allegation leveled against the applicant by the prosecution based on the statement of the co-accused person. He would further submit that the applicant has been falsely implicated in this case only to pressurize him. There is neither any participation on part of the applicant in the alleged crime nor is the applicant alleged to have participated by way of any covert act on his part. The applicant has been falsely implicated only on the strength of the statement given by the co-accused and there is no corroborating material demonstrating against the applicant to indicate

the involvement of the applicant in the alleged offence. The applicant is innocent and has been falsely implicated for no reason.

11. He would further submit that the applicant had never collected any money relating to any alleged scam on behalf of Shri Ram Gopal Agrawal nor given any money to any other person on the instructions of Shri Ram Gopal Agrawal. The applicant never had any relationship with any of the accused persons in the past nor did the applicant have any financial relationship with them in any manner. The applicant had never received any money from any person at any place. The applicant is being made a scapegoat.
12. He would further submit that despite a long drawn investigation for over more than 3 years, there is no incriminating material collected against the applicant except for the alleged statement of the co-accused, which is otherwise inadmissible in law. There has not been any recovery of any amount from the applicant. There is no cogent material having reference to the involvement of the applicant except for the inadmissible statement of the co-accused, and on the basis of such an inadmissible material, the applicant has been arrested on 18.07.2025 as such he remained incarceration for more than 6 months. He would further submit that the statement of a co-accused is inadmissible in law and this is held by the Hon'ble Supreme Court in **Kashmira Singh v. State of Madhya Pradesh (1952) 1 SCC 275; Haricharan Kurmi v. State of Bihar 1964 SCC OnLine SC 28; Somasundaram v. State (2020) 7 SCC 722**. The statement of the co-accused cannot be made the foundation for implicating the applicant.

13. He would further submit that it is evident that the number of witnesses in the list of witnesses presented by the prosecution is large in number and therefore, the possibility of inordinate delay in completion of the trial cannot be ruled out. It shall also be pertinent to mention that the other co-accused persons have already been released on interim bail by the Hon'ble Supreme Court in the alleged crime. He would further submit that there are no other criminal antecedents against the present applicant and this is the first F.I.R. registered against the applicant. No criminal case at any point of time was registered against the present applicant or is pending before any court. The Applicant has been languishing in jail since 18.07.2025 and he is the only bread earner of the family. Due to his, incarceration, the family of the applicant is finding it difficult to earn a livelihood for the family. The applicant is a permanent resident of above-mentioned address and as such there is no chance of him absconding.
14. He would further submit that there is delay in trial coupled with long period of pre-trial incarceration as the applicant was illegally arrested on 18.07.2025 and has already undergone more than 6 months and there is no likelihood of the trial concluding any time soon and in as much the investigation in the alleged offence is still ongoing qua other accused persons. He would further submit that the proceedings are going on at a snail's pace and is still at the stage of further investigation, even after a passage of over six months since the registration of the said FIR.
15. He would further submit that the co-accused namely Ranu Sahu, Suryakant Tiwari, 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 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 and would pray for releasing the applicant on bail.

16. Per contra, **Dr. Saurabh Kumar Pande**, Deputy Advocate General for the ACB/EOW opposing the submissions made by learned counsel for the applicant and 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 distribution of fund which has been received by him. 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 the applicant has been charged for receiving the illegal extorted money from coal transporters and also played active role in distribution of the same, thus, *prima facie* involvement of the applicant is reflected in the crime in question and the same has not been rebutted by the applicant while making this submission before this Court. He would further submit that there is a strong *prima facie* case against the present applicant and the matter is under further investigation with the department and the Police will file the supplementary charge-sheet after collection of fresh evidences against other co-accused persons involved in the crime at a later stage

and looking to the conspiracy and crime committed by the applicant in connivance with the other co-accused, the instant bail application deserves to be rejected.

17. He would further submit that the offences in the present case are economic offences involving systematic illegal collection and routing of funds which have serious impact on public confidence, governance, and integrity of public administration and from the record and material collected by the prosecution, it is quite vivid that the applicant has played active role in handling the illegal cash proceeds. He would further submit that in view of the gravity of offence, magnitude of illegal funds, strong *prima facie* evidence including seized diaries and corroborative statements, active and crucial role of the applicant, likelihood of tampering with evidence and influencing witnesses, risk of absconding and the requirement of continued investigation into the complete money trail and beneficiaries, the applicant is not entitled to be released on bail and the present bail application deserves to be dismissed.
18. I have heard learned counsel for the parties and perused the case diary with utmost circumspection.
19. 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. This submission is opposed by learned counsel for the respondent/State by contending that not only the applicant but the other co-accused persons have adopted delay tactics by moving various applications causing delay in conclusion of trial, therefore, it cannot be said that only the prosecution is contributed in

delay disposal of trial. As such, he would pray for rejection of the bail application on the count that the trial may take longer time for its conclusion. The submission made by learned counsel for the applicant for releasing the applicant on bail on the count of delayed trial, deserves to be rejected as the applicant has not placed any material on record to demonstrate that the trial has been delayed because of the prosecution only.

20. The further submission of learned counsel for the applicant that the applicant was arrested illegally as there is no direct evidence against the applicant. This submission cannot be considered at this stage as it is the defence of the accused to declare the arrest as illegal which can be determined during the trial. It is pertinent to mention here that the applicant has nowhere stated in the bail petition regarding source of income which has been shown in the final report and distributed the same by him which clearly shows that the ACB/EOW has collected certain material against the applicant which cannot rule out *prima facie* involvement of the applicant. As such, 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 in economic offence, is *prima facie* reflected.
21. It is well settled position of law as held by Hon'ble the Supreme Court in various judgment that economic offence is committed with deliberate design with an eye on personal profit regardless to the consequence to the community. It is also well settled position of law that the entire community will be aggrieved if the economic offenders who ruin the

economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. It is also well settled position of law that the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest.

22. Considering the law that economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.
23. Thus, considering the law and material collected by the prosecution, it is quite vivid that while granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations.
24. Hon'ble the Supreme Court in case of **P. Chidambaram Vs. Directorate of Enforcement [(2019) 9 SCC 24]** and **Ramesh Bhavan**

Rathod Vs. Vishanbhai Hirabhai Makwana (Koli) & another [(2021)

6 SCC 230] has held that economic offence constitutes a class apart and need to be visited with a different approach. Hon'ble the Supreme Court has also held that while releasing the applicant on bail, this Court has to see 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; character, behaviour, means, position and standing of the accused; likelihood of the offence being repeated; reasonable apprehension of the witnesses being influenced; and danger, of course, of justice being thwarted by grant of bail, which is not available in the present case, therefore, the bail application is liable to be rejected.

25. The applicant cannot claim parity with other accused persons who remained in the custody for about two years and have been granted bail by Hon'ble the Supreme Court as the applicant has been recently arrested on 18.07.2025. Considering the FIR and other material placed on record which *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.
26. Accordingly, the instant bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is liable to be and is hereby rejected.
27. 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