



CGHC010233752026



2026:CGHC:44832

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5658 of 2026

- Rupesh Kumar Mathur S/o Tijram Mathur Aged About 25 Years R/o Village Pahariya, Bhatapara, Police Station Balouda, District Janjgir-Champa Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through Police Station Balouda, District Janjgir-Champa Chhattisgarh

... Non-Applicant

For Applicant	: Mr. Aditya Dhar Diwan, Advocate
For State	: Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.10.2026

- 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. 398/2025 registered at Police Station Balouda, District Janjgir-Champa (C.G.), for the offence punishable under Sections 137(2), 87, 64(2)(e), 65(1) of BNS and Sections 4 & 6 of POCSO Act.
- Case of the prosecution, in brief, is that on 10.10.2025, mother of the victim lodged a missing report stating that her daughter was found missing from 30.09.2025. Despite making inquiries with neighbours and searching nearby places, her whereabouts could not be ascertained. On such complaint, police

registered an FIR. During investigation, the missing girl was traced and recovered from the custody of the applicant, Rupesh Kumar Mathur.

3. Learned counsel for the applicant would submit that the applicant has falsely been implicated. He would further submit that applicant and victim were in a relationship and victim voluntarily left her parental house and accompanied the applicant. He would contend that there is a delay in lodging the FIR. He would further contend that applicant is in jail since 13.10.2025, he has no criminal antecedent, and trial is likely to take some time. He would pray for grant of bail to the applicant.
4. On the other hand, learned counsel for the State would oppose the bail application and submit that victim was found missing from her parental house and was subsequently recovered from the custody of the applicant. She would further submit that on the date of incident age of the victim was 14 years and 10 months and there are serious allegations with regard to sexual assault in statement of victim recorded under Section 183 of BNSS. She would contend that victim has been examined before the learned Trial Court and she has supported the case of prosecution. She would submit that instant application deserves to be rejected.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having considered nature and gravity of allegations and material available on record, and fact that on the date of the incident, the victim was aged about 14 years and 10 months, she has already been examined before the learned Trial Court, wherein she has categorically stated that the present applicant took her to his house, where she stayed for 8 days and during that period, the

applicant forcibly subjected her to sexual intercourse. Thereafter, she was taken to the house of the applicant's maternal uncle, where she was again sexually abused.

7. Having considered the allegations made against the present applicant in statements recorded under Sections 180 and 183 of BNSS, statement of the victim before the learned Trial Court and age of the victim, I am not inclined to allow this application.
8. Accordingly, the bail application is **rejected**.

Sd/-
(**Rakesh Mohan Pandey**)
JUDGE

Siddhant