



CGHC010277722026



2026:CGHC:40845

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6816 of 2026

Bhenath Sori S/o Baisakhu Ram Sori, Aged About 19 Years R/o Village - Ghumrapadar, Police Station - Amlipadar, District - Gariyaband (C.G.)

... **Applicant(s)**

versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Amlipadar, District - Gariyaband (C.G.)

... **Non-Applicant(s)**

For Applicant : Mr. Shivendu Pandya, Advocate.

For Non-Applicant/State : Ms. Priya Mishra, Panel Lawyer.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

18/09/2026

- The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No.48/2026, registered at Police Station Amlipadar, District Gariyaband (C.G.), for the offence punishable under Sections 64(2)(m), 87 and 137(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. As per the case of the prosecution, the allegation against the applicant is that he established sexual relationship with the victim on the pretext of marriage. On the written report lodged by the father of the victim at Police Station Amlipadar, District Gariyaband, the aforesaid offence was registered against the applicant. During investigation, the applicant was arrested.
3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that there was a love affair between the applicant and the victim and they had voluntarily accompanied each other and resided together at different places. He would also submit that during the course of trial, the victim (PW-01) and her father (PW-02) have been examined before the learned trial Court and they have not supported the case of the prosecution and have turned hostile, even they have denied the suggestions put forth by the prosecution. Learned counsel would further submits that the victim and her father have not supported the prosecution case and have expressed no objection to the grant of bail to the applicant. The applicant is in jail since 08.04.2026 and there is no criminal antecedent against him. Accordingly, he prays for grant of regular bail.
4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that on the date of the incident, the victim was aged about 16 years and 25 days and therefore, she was a minor. She would further submit that serious allegations have

been levelled against the present applicant and the offence alleged against him is of a serious nature. Therefore, she prays for rejection of the bail application.

5. Pursuant to the order dated 31.08.2026, the victim along with her father appeared before this Court through the District Legal Services Authority (DLSA) concerned and jointly expressed their consent for grant of bail to the applicant.
6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.
7. Considering the facts and circumstances of the case, particularly that the investigation is complete and charge-sheet has already been filed and the applicant is in custody since 08.04.2026 and further the fact that the victim along with her father have already appeared before this Court pursuant to the order dated 31.08.2026 through the District Legal Services Authority (DLSA) concerned and jointly expressed their consent for grant of bail to the applicant and also considering the fact that the victim and her father have already been examined before the learned trial Court and have not supported the case of the prosecution and have turned hostile, denying the suggestions put forth by the prosecution. It is well settled that at the stage of considering a bail application, the Court cannot undertake a detailed appreciation of evidence or test the reliability or credibility of a prosecution witness, as such evaluation is strictly reserved for the final trial. Thus, without expressing any opinion on the merits of the case, this Court is of the considered

view that the applicant deserves to be released on regular bail.

8. Accordingly, the bail application of the applicant is **allowed**. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, &
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. Office is directed to provide a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Rakesh Mohan Pandey)
Judge