



CGHC010293982026



2026:CGHC:44830

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR



MCRC No. 6943 of 2026

- Rohit Nishad S/o Kailash Nishad Aged About 20 Years R/o Badi Khairnee, Durga Chowk Katni Distt- Katni (M.P.) At Presently R/o Ward No. 14, Khediya Tiraha Manendragarh P.S. City Kotwali, Manendragarh, District- Manendragarh- Chirmiri- Bharatpur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Police Station Manendragarh, District- Manendragarh- Chirmiri- Bharatpur (C.G.)

... Non-Applicant

For Applicant	: Mr. Hemant Kumar Agrawal, Advocate
For State	: Ms. Smriti Shrivastava, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.10.2026

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. 120/2026 registered at Police Station Manendragarh, District Manendragarh Chirmiri-Bharatpur (C.G.) for the offence punishable under Sections 137(2), 87, 64(2) of BNS and Section 6 of POCSO Act.
2. As per the case of the prosecution, uncle of the victim lodged an FIR on 15.05.2026 to the effect that on 14.05.2026 at about 23:55 hours, his minor niece aged about 17 years and 7 months went missing from their home

without informing anyone. He suspected that some unknown person had lured her away. On such complaint, police registered aforesaid offence against the applicant.

3. Learned counsel for the applicant would contend that false allegations have been made against the present applicant. He would further submit that victim has already been examined before the trial Court and she disclosed her age 19 years. It is also argued that victim has not supported the case of prosecution before the learned Trial Court and denied the suggestions put forth by the Public Prosecutor. He would submit that applicant is in jail since 20.05.2026 and trial may take some time for its conclusion. He would contend that applicant has no criminal antecedents. Thus, 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. Ms. Smriti Shrivastava, Panel Lawyer would submit that age of the victim on the date of incident was 17 years 7 months, thus, she was below 18 years of age and was not capable to give her consent. She would further submit that in statement recorded under Section 183 of BNSS, victim has made serious allegations against the applicant with regard to sexual assault, therefore, the present application deserves to be rejected.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having considered the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, fact that the victim has already been examined before the trial Court and she has not supported the case of prosecution and she disclosed her age 19 years, even

she denied the suggestions put forth by Public Prosecutor, applicant is in jail since 20.05.2026, trial may take some time for its conclusion and applicant has no criminal antecedents, therefore, I am inclined to allow this application.

7. Accordingly, the regular bail application is allowed and 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.

Sd/-
(Rakesh Mohan Pandey)
JUDGE