



CGHC010309672026



2026:CGHC:44677

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7454 of 2026

1 - Manish Khalkho @ Anish S/o Sainat Khalkho Aged About 23 Years R/o Jaiga Uparpara, P.S. Sitapur, District Sarguja Chhattisgarh

... Applicant

versus

1 - The State Of Chhattisgarh Through S H O To P.S. Sitapur, District Sarguja Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Praveen Soni, Advocate
For Non-applicant	:	Mr. Akash Shrivastava, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

15.10.2026

- 1)** The victim appeared along with her mother through Video Conferencing and given her consent for grant of bail to the present applicant.
- 2)** 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.150/2026, registered at Police Station Sitapur, District Sarguja (CG) for the offence punishable under Sections 70(2) (m), 4(2) of BNS and 6 of POCSO Act.

- 3) The prosecution case, in brief, is that on 24.04.2026, one prosecutrix was allegedly taken away near Bandana High School and gang-raped, while another prosecutrix was allegedly sexually assaulted by two persons. During the investigation, the present applicant was made an accused and arrested on 30.04.2026. Hence, the present bail application.
- 4) Learned counsel for the applicant would submit that the applicant has falsely been implicated in the case. He would further submit that the applicant is innocent and has not committed any offence as alleged. He would also submit that the applicant is in jail since 30.04.2026, the charge-sheet has been filed, and the trial is likely to take considerable time for its conclusion. Therefore, he would pray that the applicant be enlarged on bail.
- 5) On the other hand, learned State counsel would oppose the bail application and submit that the victim was aged 15 years at the time of the incident. She would further submit that, in her statement recorded under Section 183 of the BNSS and in her statement before the trial Court, the victim has supported the prosecution case. Considering the age of the victim and the nature of the allegations, she would submit that the applicant is not entitled to the benefit of bail.
- 6) I have heard learned counsel for the parties and perused the case diary.
- 7) Having considered the facts and circumstances of the case, the nature and gravity of the allegations, and the submissions made by learned counsel for the parties, it appears that, on 24.04.2026, the prosecutrix was allegedly abducted near Bandana High School and subjected to gang rape, while another prosecutrix was allegedly sexually assaulted

by two persons. During the investigation, the present applicant was arrested on 30.04.2026. Further taking into consideration age of the victim, which was 15 years at the time of the incident and her statement recorded under Section 183 of the BNSS as well as in her deposition recorded before the trial Court, wherein she has supported the case of the prosecution, the nature and gravity of the allegations, and the statements made by her during the investigation and before the trial Court, this Court is not inclined to enlarge the applicant on bail at this stage. Accordingly, the bail application is **rejected**.

- 8) It is made clear that the observations made hereinabove are confined to the consideration of the bail application and shall not influence the trial Court while deciding the case on its own merits.

sd/-
(Rakesh Mohan Pandey)
JUDGE