



CGHC010317622026



2026:CGHC:44897

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7574 of 2026

1 - Bholeshwar Thakur S/o. Devendra Thakur, Aged About 24 Years
R/o. Parastarai, P. S. Arjunda, District Balod (C.G.)

. .. Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, P. S. Arjunda,
District Balod (C.G.)

... Non-applicant

For Applicant : Mr. Prasoon Agrawal, Advocate

For Non-applicant : Mr. Vivek Sharma, P.L.

/State

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 83/2026, registered at Police Station Arjunda, District – Balod (C.G.) for offence punishable under

Sections 137(2), 87, 64(2)(m) and 65(1) of BNS and Sections 3/4(2), 5(ii)/6 and 5(ठ)/6 of POCSO Act.

2. As per the case of the prosecution, Victim's mother lodged a complaint that from 05/10/2025 to 10/05/2026, the applicant herein sexually assaulted her minor daughter on various occasions on the pretext of marriage due to which she also conceived. On the said complaint, FIR was registered against the applicant and he was arrested.
3. Mr. Prasoon Agrawal, learned counsel for the applicant, would argue that the victim is innocent and he has falsely been implicated in this case. He would further contend that the victim has already been examined before the trial Court on 05/08/2026 and she has not supported the case of the prosecution and the suggestions put forth by the Public Prosecutor pertaining to sexual assault have also been denied by the victim. He would further contend that victim has also given her consent for grant of bail to the applicant. He would further submit that the investigation has been completed and charge-sheet has already been filed and the applicant is in jail since 03/06/2026, thus, the appellant be released on bail as conclusion of trial is likely to take some time.
4. On the other hand, Mr. Vivek Sharma, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that at the time of the incident, the victim was aged about 15 years and therefore, the contention of consent of the victim would

be irrelevant as she was a minor. He would lastly submit that serious allegations have been levelled against the applicant with regard to sexual assault of the minor victim, therefore, he is not liable to be released on bail.

5. The victim along with her mother appeared before this Court through video conferencing from the concerned District Legal Services Authority (DLSA) and has given her 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. Taking into consideration the facts and circumstances of the case, particularly that the investigation is complete and charge-sheet has already been submitted; the applicant is in custody since 03/06/2026; the victim has given her consent for grant of bail to the applicant, and the victim has already been examined before the trial Court and she has not at all supported the case of the prosecution, this Court, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicant is **allowed**.
8. 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 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, and

(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. The observation made herein-above is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet