



CGHC010330872026



2026:CGHC:44805

NAFR

NIRMALA
RAO**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 8351 of 2026**

1 - Janishar Alam S/o Jahangir Alam Aged About 22 Years R/o Bochgaon Purniya, Police Station - Kasba, District - Jalalgarh (Wrongly Mentioned As Jahalgarh) (Bihar) At Present R/o Gudaram, Police Station - Rajampet, District Kamareddy Telangana

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Station House Officer, Police Chowki Naila, Police Station - Janjgir, District Janjgir-Champa Chhattisgarh

... Respondent(s)

For Applicant	:	Shri Kunwar Lal Sahu, Advocate.
For Respondent/ State	:	Shri Sourabh Sahu, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey**Order on Board****16.10.2026**

1. The victim appeared alongwith her father through video-conferencing and raised serious objections to grant of bail to the applicant.
2. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the

applicant in connection with Crime No.219/2026 registered at Police Chowki Naila, Police Station Janjgir, District Janjgir-Champa (C.G.) for the offence under Sections 137(2), 87 & 64(2)(m) of BNS and Sections 5(L)/ 6 of POCSO Act.

3. According to the prosecution, on 16.3.2026, the applicant abducted the prosecutrix from her lawful guardianship and detained her. During the course of her detention, the applicant allegedly committed sexual intercourse with her. On the basis of the report lodged by the mother of the prosecutrix, the applicant was arrested in connection with the aforementioned crime.
4. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the present case. He would further submit that the applicant and the prosecutrix were having a love affair and that, on the date of the incident, the prosecutrix accompanied the applicant to Bangalore, whereafter they went to Telangana and lived together. He would further contend that the applicant has been in jail since 25.03.2026, has no criminal antecedents, and that the trial is likely to take some time to conclude. He would, therefore, pray for grant of bail to the applicant.
5. On the other hand, learned counsel for the State would oppose the bail application and submit that the prosecutrix was a minor when the applicant established physical relations with her on the pretext of marriage. He would further submit that the applicant threatened the prosecutrix when she refused to continue the relationship and subsequently refused to marry her. He would contend that the prosecutrix has already been examined before the learned trial Court

and has supported the prosecution case. He would, therefore, submit that the instant application deserves to be rejected.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Having considered the fact that the prosecutrix has already been examined and, particularly, that, in paragraph 3 of her deposition, she has categorically stated that the applicant induced her and sexually exploited her on various occasions, and further taking note of the fact that the prosecutrix was below 18 years of age at the relevant time and was, therefore, not legally competent to give consent, this Court is of the view that the bail application does not deserve to be allowed.
8. Having considered the above-discussed facts, I am not inclined to allow this bail application.
9. Accordingly, the bail application of the applicant filed under Section 483 of BNSS, 2023 is **rejected**.

Sd/-

(Rakesh Mohan Pandey)
Judge

Nimmi