



CGHC010348882026



2026:CGHC:44804

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8363 of 2026

1 - Dashrath Patel @ Nanku S/o Late Khimram Patel Aged About 31 Years R/o Belakchhar Mohalla, P.S. Balco Nagar, District- Korba (C.G.)

2 - Chitrabhan Patel @ Bade Dau S/o Late Khimram Patel Aged About 34 Years R/o Belakchhar Mohalla, P.S. Balco Nagar, District- Korba (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through- The Station House Officer, Police Station Balco Nagar, District- Korba (C.G.)

... Respondent(s)

For Applicant	: Shri Syed Mohammad, Advocate.
For Non-applicant/State	: Ms. Ritika Verma, P.L.

HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY

Order on Board

16/10/2026

1. The victim appeared alongwith her parents through video-conferencing and raised serious objections to grant of bail to the applicants.
2. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicants who have been arrested in connection with Crime No.0339/2026 registered at Police Station Balco Nagar, District Korba

(C.G.), for the offence punishable under Sections 64, 64(1), 64(2)(m), 70(2), 75(1)(ii), 79, 351(3) & 3(5) of BNS and Sections 4, 6 & 12 of POCSO.

3. As per the prosecution case, on 8.6.2026, the complainant lodged a written complaint alleging that multiple co-accused persons had established physical relations with the victim on different dates by falsely professing affection, coercion or blackmail. The present applicants are alleged to have made indecent gestures and comments from a distance, without any allegation of physical assault, rape or video recording against them. Thereafter, the aforesaid offences were registered against the applicants.
4. Learned counsel for the applicants would contend that, although allegations have been made against eight co-accused persons under Sections 64, 64(1), 64(2)(m), 70(2), 75(1)(ii), 79, 351(3) & 3(5) of BNS and Sections 4, 6 & 12 of POCSO but the allegations against the present applicants are limited to acts covered under Section 79 of BNS; namely, uttering words, making sounds or gestures, or engaging in acts intended to insult the modesty of a woman. He would submit that charges have already been framed against the applicants under Section 79 of the BNS. He would further submit that the charge-sheet has already been filed, the applicants have no criminal antecedents, and they have been in jail since 9.6.2026. He would also contend that the trial may take some time to conclude. He would, therefore, pray for grant of regular bail to the applicants.
5. On the other hand, learned counsel for the State would oppose the bail application and submit that the present applicants made gestures and uttered words with the intention of insulting the modesty of the victim.

She would further submit that allegations of sexual assault have been made against eight accused persons. However, she fairly submits that the victim has not named the present applicants in connection with the commission of sexual assault. She would, nevertheless, pray for rejection of the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Having considered the allegations levelled against the applicants, the fact that charges have been framed against them under Section 79 of the BNS, that the charge-sheet has already been filed, that the applicants have been in jail since 9.6.2026, that they have no criminal antecedents, and that the conclusion of the trial may take some time, this Court is of the view that the applicants are entitled to be released on bail in the present case.
8. Accordingly, the bail application filed by applicants is allowed and it is directed that in the event of the applicants executing a personal bond for a sum of Rs.50,000/- with one surety each to the satisfaction of the concerned Trial Court, they shall be released on bail, on following conditions :-

(i) they 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 them from disclosing such fact to the Court,

(ii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial,

(iv) they shall not involve themselves in any offence of similar nature in future.

The observations made in the course of this order are only for considering the case of the applicants on the application for grant of regular bail. The concerned trial Court shall not be influenced or bound by the observations made in the course of this order.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Nimmi