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KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6004 of 2026

Vikas Adile Son Of Vijay Kumar Adile, Aged About 20 Years Resident Of Ward No. 11, Village Kurma, Police Station Baloda, District- Janjgir-Champa (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through- The Station House Officer, Police Of Police Baloda, District- Janjgir-Champa (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. N.K. Chatterjee, Advocate.
For Non-Applicant/State	:	Ms. Sameeksha Gupta, Panel Lawyer.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

26/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 428/2026, registered at Police Station Baloda, District Janjgir-Champa (C.G.), for the offences punishable under Sections 137(2), 96, 64, 64(2)(m) and 87 of the BNS and Sections 4, 6 and 5(L) 6 of the POCSO Act.

2. The prosecution story, in brief, is that on 08.12.2024, the applicant allegedly kidnapped the minor daughter of the complainant with an intention to subject her to sexual intercourse and thereafter, on several occasions between 08.12.2024 to July, 2025, committed penetrative sexual assault upon her against her will and consent. Based upon the complaint, the aforesaid offences were registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that during the course of trial, the victim has already been examined before the learned trial Court, wherein she disclosed her age as 21 years and did not support the prosecution case, whereupon she was declared hostile. She has also denied the material suggestions put forth by the Public Prosecutor regarding the alleged incident. He would further submit that as per the medical examination report dated 17.08.2025, no signs of use of force were noticed, though the medical findings were suggestive of sexual activity, without any definite opinion regarding its time and duration. He would further submit that the applicant has already been acquitted in another criminal case involving similar allegations. The charge-sheet has already been filed and applicant is in jail since 15.01.2026 and conclusion of trial is likely to take some more time. Therefore, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that considering the nature and gravity of the offence and the manner in which the crime has been

committed, the applicant is not entitled to be released on bail and therefore, the application deserves to be dismissed.

5. Pursuant to the order dated 31.08.2026, the victim along with her father appeared before this Court through video conferencing on 16.09.2026 and expressed their 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. Having considered the facts and circumstances of the case, particularly the fact that the applicant has already been acquitted in another criminal case involving similar allegations, the victim has already been examined before the learned trial Court, wherein she disclosed her age as 21 years and did not support the prosecution case, including the allegations of sexual assault, charge-sheet has already been filed, the applicant is in jail since 15.01.2026 and the victim as well as her father have expressed their consent for grant of bail, thus without further commenting upon the merits of the case, this Court is inclined to grant bail to the applicant.

8. Accordingly, the bail application is **allowed**. 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

Kunal