SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 5792 of 2026

- Manoj Kumar Pando S/o Shivkumar Pando Aged About 25 Years R/o Village- Mahadevpur (Khutpara) Out Post Dindo, Police Station- Trikunda, District- Balrampur- Ramanujganj Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Out Post- Dindo, Police Station- Trikunda, District- Balrampur- Ramanujganj Chhattisgarh.

... Non-Applicant

For Applicant : Ms. Parwati Suryawanshi, Advocate

For State : Mr. Aakash Agrawal, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

1. Despite service of notice on three occasions there is no representation either on behalf of victim or her natural guardian.

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 applicant who has been arrested in connection with Crime No. 4/2026 registered at Police Station Trikunda, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 137(2), 87, 64(2)(m) of BNS and Sections 4 (2), 3(A) and 5(I)/6 of POCSO Act.

3. As per the case of the prosecution, on 11.01.2026, mother of the victim lodged a complaint alleging that the present applicant had taken her minor

daughter, aged about 12 years, to his house. It is further stated that she came to know that her daughter was staying at the applicant's house and the applicant is already married. On such complaint, police registered aforesaid offence against the applicant.

4. Learned counsel for the applicant would contend that applicant has falsely been implicated. She would further submit that applicant is in jail since 11.01.2026 and victim has already been examined and she has not supported the case of prosecution, even she denied suggestions put forth by the Public Prosecutor. Thus, she would pray for grant of bail to the applicant.

5. On the other hand, learned counsel for the State would oppose the bail application. Mr. Aakash Agrawal, Panel Lawyer would submit that age of the victim on the date of incident was 12 years and there is serious allegations of sexual assault. He would further submit that in statement recorded under Section 183 of BNSS, victim has made serious allegations against the applicant with regard to sexual assault, therefore, the present application deserves to be rejected.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. First time notice was issued to the victim and her natural guardian on 01.07.2026 for their appearance on 04.08.2026 through video conferencing from the concerned DLSA. Despite service of notice, no-one appeared and case was again listed on 25.08.2026 and on said date, counsel appearing for applicant took time. On 06.10.2026, at the request of counsel appearing for the State, matter was adjourned.

8. Perusal of documents would show that victim has already been examined

before the trial Court as PW-1 on 05.05.2026 and she disclosed her age 20 years, and stated that she had gone to her friend's house in another village and returned to her own house on the next day, she denied the suggestions put forth by Public Prosecutor with regard to sexual assault. Further, applicant is in jail since 11.01.2026, trial may take some time for its conclusion and applicant has no criminal antecedent, therefore, I am inclined to allow this application.

9. Accordingly, the regular bail application is allowed and 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

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