CGHC010249802026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6273 of 2026

1 - Kamlesh Dhiwar S/o Rajaram Dhiwar Aged About 22 Years R/o Gram Souda Daihanpara, Thana- Sakri, Bilaspur (C.G.)

... Applicant

HARNEET KAUR
Digitally signed by HARNEET KAUR
Date: 2026.10.27 10:49:27 +0530

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station- Sakri Bilaspur (C.G.)

... Non-applicant

For Applicant	**:**	Ms. Chanchal Verma, Advocate
For Non-applicant/ State	**:**	Ms. Smriti Shrivastava, P.L.

Hon’ble Shri Justice Rakesh Mohan Pandey

Order on Board

26/10/2026

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. 502/2026, registered at

Police Station Sakri, District – Bilaspur (C.G.) for offence punishable under Section 74 of BNS and Section 8 of POCSO Act.

2. As per the case of the prosecution, complainant/victim's father lodged a report at the Police Station on 01/06/2026 alleging that on 29/05/2026, while he and his wife had gone for work, at around 12 noon, the applicant held victim's hand and pulled her towards him and molested her in front of Gram Panchayat. On the basis of the said complaint, police registered the aforesaid offence against the applicant.

3. Ms. Chanchal Verma, learned counsel for the applicant, would argue that the applicant has falsely been implicated in the crime in question and he has been arrested on the basis of false complaint made by the complainant as there was some dispute between the complainant party and the applicant. She would further submit that the applicant has no previous criminal antecedents; investigation has already been completed; charge-sheet has already been filed; the applicant is in jail since 01/06/2026, thus, the appellant be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Ms. Smriti Shrivastava, 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 13 years and 11 months and therefore, the contention of consent of the victim would be irrelevant as she was a minor. She would lastly submit that the applicant molested the

minor victim with ill intention, therefore, he is not liable to be released on bail.

5. On 17/09/2026, complainant/victim's father appeared before this Court through video conferencing from the concerned District Legal Services Authority (DLSA) and raised serious objection in 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, nature and gravity of the offence and the allegations made against the present applicant, particularly considering that the investigation is complete and charge-sheet has already been submitted; the applicant is in custody since 01/06/2026, 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