CGHC010253892026 2026:CGHC:43664

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCRC No. 6159 of 2026**

Gajanand Kumar Dewangan S/o Jayant Lal Dewangan, Aged About 24 Years R/o- Bhawani Mandir Jogiyadera P. S. Balco District Korba (C.G.)

**... Applicant**

**versus**

State Of Chhattisgarh Through P. S. Balco Nagar District Korba (C.G.)

**... Non-applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.09 10:43:16 +0530

| | | |
|---|---|---|
| For Applicant | : | Shri F.S. Khare, Advocate. |
| For Non-Applicant/State | : | Ms. Laxmeen Kashyap, Panel Lawyer. |

**(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)**

**Order on Board**

**08/10/2026**

**1.** 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.304/2026 registered at Police Station Balco Nagar, District Korba (C.G.), for the offence punishable under Sections 74, 75(1), 115(2), 296, 351(3), 3(5) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023) and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012).

**2.** As per the case of the prosecution, wife of the applicant lodged the F.I.R. on 28.05.2026 at Balco Nagar to the effect that between

16.02.2026 to 26.05.2026, on two occasions, the applicant tried to outrage modesty of her younger sister and in furtherance of ill-intention, he touched the private parts of the victim. On such complaint/report, the police registered the offence as stated above.

**3.** Shri F.S.Khare, learned counsel for the applicant would contend that charge-sheet has already been filed; the applicant is in jail since 29.05.2026; he has no criminal antecedents and conclusion of the trial is likely to take some considerable time. Therefore, he would pray that the bail application may be allowed and the applicant may be enlarged on bail.

**4.** On the other hand, Ms. Laxmeen Kashyap, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. She would submit that the present applicant, without consent of the victim (sister-in-law), misused his position and tried to outrage her modesty. She would submit that there are serious allegations against the present applicant, therefore, the bail application deserves to be rejected.

**5.** Victim appeared through virtual mode from DLSA and has given her consent in releasing the applicant on bail.

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

**7.** Considering the fact that the victim appeared through virtual mode and has given consent; further considering that the charge-sheet has already been filed and conclusion of trial may take some considerable

time, without making any observation on merits of the matter, I am inclined to grant bail to the applicant. Accordingly, the instant bail application is **allowed.**

**8.** It is directed that the applicant shall be released on bail on his furnishing a **personal bond** in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with 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.

**9.** The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

**JUDGE**

Anjani