CGHC010258212026 2026:CGHC:43425

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6124 of 2026

Santosh Mahant S/o Late Leelu Mahant Aged About 42 Years R/o Krishnapur, P.S. Kotra Road, Raigarh, Distt. Raigarh, Chhattisgarh. **... Applicant**

versus

State Of Chhattisgarh Through Police Station Kotra Road, Raigarh, Distt. Raigarh, Chhattisgarh. **... Non-Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.08 10:10:56 +0530

For Applicant	:	Shri Hemant Gupta, Advocate.
For Respondent	:	Ms. Priya Sharma, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

07/10/2026

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.117/2026 registered at Police Station Kotra Road, Raigarh, District Raigarh (C.G.), for the offence punishable under Section 79 of the Bhartiya Nyay Sanhita, 2023 (for short, the BNS) (corresponding to Section 509 IPC) and under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act).

2. As per the case of the prosecution, on 12.04.2026, father of the victim lodged a report at Police Station Kotra Road to the effect that the

present applicant, with intention to insult modesty of the victim, aged about 12 years, made objectionable gesture and earlier also stalked her. On such report, the police registered the aforesaid offences, as stated above, against the present applicant.

3. Learned Counsel for the applicant would submit that the present applicant is closely related to the victim and he had no intention to insult or humiliate the victim. He would contend that the applicant has falsely been implicated on account of some land dispute between the parties. He would further contend that charge-sheet has already been filed and the applicant is in jail since 13.04.2026; he has no criminal antecedents and further, 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, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. She would submit that there are serious allegations against the present applicant as he has intention to insult a girl, aged about 12 years, therefore, the bail application deserves to be rejected.

5. On 24.08.2026, the victim appeared along with her father through the video conferencing and has raised objection in releasing the applicant on bail.

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

7. Having considered the fact that charge-sheet has already been filed; the applicant is in jail since 13.04.2026; he has no criminal antecedents

and further conclusion of trial may take some considerable time, 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 hereinabove 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