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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6035 of 2026

- Suraj Kadam S/o Shri Ramnath Kadam Aged About 32 Years By Caste Kurmi, R/o Village - Murmunda, Thana And Tahsil - Dongargarh, Distt. Rajnandgaon Chhattisgarh

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Dongargarh, Distt. Rajnandgaon Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Khilendra Sahu, Advocate
For Non-Applicant	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27.10.2026

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. 130/2026 registered at Police Station : Dongargarh, District : Rajnandgaon (C.G.) for the offence punishable under Sections 296, 126(2) and 75(1)(i) of the Bhartiya Nyaya Sanhita, 2023 r/w Section 12 of POCSO Act and Section 3(1)(b)(i) of SC/ST (P.A.) Act.

2. The prosecution case, in brief, is that on 14.03.2026, when the minor victim had gone to the market to purchase vegetables, she was intercepted by the applicant, who was in an intoxicated state. It is alleged that the applicant verbally abused and molested the minor victim. Thereafter, the victim returned home and narrated the incident to her family members. Subsequently, the father of the victim lodged an FIR, and the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case on account of previous enmity with the victim's father. He further submits that though the applicant has four previous criminal antecedents pertaining to the years 2015, 2017 and 2022, the applicant has been acquitted in all those cases or the cases have been disposed of. He contends that the victim has been examined before the learned Trial Court, where she has not supported the case of the prosecution. He further contends that the applicant has been in jail since 20.03.2026 and the conclusion of the trial may take some time, therefore, he prays for the grant of regular bail to the present applicant.

4. On the other hand, the learned State counsel opposes the bail application of the present application and submits that the present applicant/accused verbally abused and molested the minor victim,

therefore, the applicant is not entitled for grant of regular bail.

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

6. It transpires that victim appeared before this Court on 19.08.2026 through video conferencing and submitted that she has no objection for grant of bail to the applicant. Considering the facts and circumstances of the case and from perusal of the evidence of the victim recorded before the learned Trial Court, it appears that victim has not supported the case of prosecution and denied the suggestions put forth by the public prosecutor. Although the applicant has four prior criminal antecedents pertaining to the years 2015, 2017 and 2022, none are of a similar nature; moreover, all such cases have either resulted in acquittal or have been disposed of, and the details thereof have been duly explained in the present bail application. Also considering the fact that applicant has been in jail since 20.03.2026, the trial is likely to take sometime for its conclusion, I am of the opinion that the applicant is entitled to be released on bail in this case.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b)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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Ajinkya