CGHC010258462026 2026:CGHC:43795

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6327 of 2026

1 - Lucky Alias Lavkush Goswami S/o Jaiprakash Goswami Aged About 26 Years R/o Village- Tameshwar P.S. Khaliabad District- Khaliabad (U.P.)

... Applicant

versus

1 - State Of Chhattisgarh Through - P.S. Janjgir District- Janjgir-Champa (C.G.) **... Non-applicant**

For Applicant	:	Mr. F.S. Khare, Advocate
For Non-Applicant	:	Ms. Laxmeen Kashyap P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

09.10.2026

1. Heard.

2. The victim along with her mother appeared through Video Conferencing and raised no objection for grant of bail to the present applicant.

3. 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. 232/2026 registered at Police Station Janjgir, District Janjgir Champa (C.G.) for the offence punishable under Section 137(2), 87, 64(1) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 & 6 of the POCSO Act.

4. The prosecution story, in brief, is that the mother of the victim lodged a missing person report at Police Station Janjgir on 22.03.2026. Accordingly, the police registered FIR bearing Crime No. 232/2026 against an unknown person. During investigation, the victim was traced and recovered from village Tameshwar, Uttar Pradesh, and the present applicant was arrested. Hence, the present bail application.

5. Learned counsel appearing for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that, on the date of the incident, the victim was aged about 17 years and 11 months and had accompanied the applicant to village Tameshwar, where they stayed for more than a month. He would contend that, after attaining the age of majority, the victim solemnized marriage with the applicant and their relationship was consensual. He would further submit that the charge-sheet has already been filed, the victim has no objection to the grant of bail, and the applicant is in jail since 21.06.2026. He would contend that conclusion of the trial may take some time, thus, he prays for grant of regular bail to the present applicant.

6. On the other hand, learned State counsel opposes the bail application and submits that the applicant is accused of sexually assaulting the victim, who was below 18 years of age at the time of the incident. She would, therefore, pray for rejection of the bail application.

7. I have heard learned counsel for the State and perused the case diary.

8. Considering the facts and circumstances of the case, the nature of the allegations, and the submissions made by learned counsel for the parties, it appears that the victim was aged about 17 years and 11 months at the time of the incident. As per the submission made on behalf of the applicant, the victim accompanied him to village Tameshwar, where they stayed for more than a month, and their marriage was solemnized after the victim attained the age of majority. It is further submitted that the victim has no objection to the grant of bail. Considering further that the applicant is in jail since 21.06.2026, I am of the opinion that the applicant deserves to be enlarged on bail. Accordingly, without expressing any opinion on the merits of the case, the bail application is **allowed**.

9. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, they 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

Rekha