CGHC010272122026 2026:CGHC:45446

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6365 of 2026

1 - Ravi Yadav @ Golu S/o. Shri Santu Yadav, Aged About 26 Years R/o. Near Naya Talab Khamatrai Baima Nagoi, Police Station Sarkanda And District Bilaspur (C.G.)

... Petitioner(s)

versus

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

... Respondent(s)

For Applicant	:	Shri Syed Afaque Hussain Rizvi, Advocate.
For Non-applicant/State	:	Ms. Monika Thakur, P.L.

HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY

Order on Board

28/10/2026

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.581/2026 registered at Police Station Sarkanda, District Bilaspur (C.G.), for the offence punishable under Sections 137(2), 87, 64, 351(3) of BNS and Section 4 of the POCSO Act.

2. As per the case of the prosecution, the complainant, who is the mother of the victim, lodged a report at Police Station Sarkanda, alleging that on 23.4.2026, her 17-year-old daughter was taken away by their neighbour, Ravi Yadav, who had sexual intercourse with her and threatened to kill her if she reported the matter to the police. On the basis of the said report, the police registered the aforesaid offence against the present applicant.

3. Learned counsel for the applicant would submit that, in her statement recorded under Section 183 of the BNSS, the victim has not made any allegation of forcible sexual assault against the present applicant. He would further submit that the victim accompanied the applicant on 23.4.2026 and stayed at his house, and that an FIR was lodged on 24.4.2026. He would also contend that the present applicant has been in jail since 10.5.2026, the charge-sheet has already been filed, he has no criminal antecedents, and the trial may take some time to conclude. He would, therefore, pray for grant of regular bail to the applicant.

4. On the other hand, learned counsel for the State would oppose the bail application. He would submit that, on the date of the incident, the victim was 16 years and 7 months old and, therefore, was a child within the meaning of Section 2(1)(d) of the POCSO Act and was not legally competent to give consent. He would further contend that, in view of the serious allegations of sexual assault, the bail application deserves to be rejected.

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

6. Having considered the fact that the charge-sheet has already been filed, that the applicant has been in jail since 10.5.2026, that he has no

criminal antecedents, and that the victim has not made any allegation of forcible sexual assault against the present applicant in her statement recorded under Section 183 of the BNSS, this Court, without commenting on the merits of the case, is inclined to allow the bail application. Accordingly, the bail application is allowed.

7. Let the applicant 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.

The observations made in the course of this order are only for considering the case of the applicants on the application for grant of regular bail. The concerned trial Court shall not be influenced or bound by the observations made in the course of this order.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Nimmi