CGHC010285842026 2026:CGHC:44424

Digitally signed by RAMESH KUMAR VATTI
Date: 2026.10.15 11:11:04 +0530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6810 of 2026

*** -** Vishal Dhobi S/o Chunnilal Dhobi Aged About 20 Years R/o Pausra (Wrongly Mentioned As Paisra), Police Station- Koni, District- Bilaspur, C.G.

... Applicant

Versus

*** -** State Of Chhattisgarh Through- Station House Officer, Police Station, Station- Pipariya, District- Kabirdham, C.G.

... Non-Applicant

For Applicant	**:**	Mr. Goutam Khetrapal, Advocate
For Non-Applicant	**:**	Mr. Vivek Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

14/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 as he is in jail since 10.07.2026 in connection with Crime No. 189/2026 registered in Police Station – Pipariya, District Kabirdham (CG) for commission of offence punishable under Sections 137(2), 87 & 64(2)(m) of BNS and Section 6 of POCSO Act.

2. As per case of prosecution, on 05.07.2026 mother of the victim lodged a missing report to the effect that her daughter aged about 17 years and 29 days is missing since 05.07.2026. On such complaint, police

registered the offence under Section 137 (2) of BNS against unknown person. The victim was recovered on 10.07.2026 from the house of the present applicant. The statement of the victim under Section 183 of BNSS was recorded, wherein she stated that she has performed marriage with the applicant in Mahamaya Temple, Ratanpur on 05.07.2026.

3. Mr. Goutam Khetrapal, learned Advocate appearing for the applicant would argue that age of the victim was around 18 years on the date of incident, there was love affair between them, charge-sheet has already been filed, the applicant is in jail from 10.07.2026 and he has no criminal antecedent, therefore, this bail application may be allowed.

4. On the other hand, Mr. Vivek Sharma, learned Panel Lawyer appearing for the State/non-applicant would oppose. He would submit that age of the victim was below 18 years, thus she was not competent to prove her consent. He would contend that there is serious allegation of sexual assault, therefore, this bail application deserves to be rejected.

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

6. Having considered the fact that the victim in her statement under Section 183 of BNSS has categorically stated that she has performed marriage with the applicant and she her own will stayed in the house of the applicant, charge-sheet has already been filed, the applicant is in jail from 10.07.2026 and he has no criminal antecedent, without commenting anything on merits of the case, I am inclined to grant bail to the applicant. Accordingly, the bail application is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the

satisfaction of the concerned Trial Court, he shall be released on bail on 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/her from disclosing such fact to the Court;

II. He shall not act in any manner which will be prejudicial to a 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 the disposal of the trial; and,

IV. He shall not involve himself in any offence of a similar nature in future.

8. The observation made in the course of this order is only for considering the case of the applicant on the application for the grant of regular bail. The concerned trial Court shall not be influenced or bound by any observation made in the course of this order.

9. Certified copy as per rules.

Sd/-
(Rakesh Mohan Pandey)
Judge

vatti