CGHC010287912026 2026:CGHC:42949

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7030 of 2026

Madkam Manoj S/o Shri Bheema @ Podiya Aged About 20 Years R/o By Caste Muriya, R/o Village Durmapara (Chikpal), P.S. Kerlapal, Tahsil Sukma, Distt. Sukma, Presently R/o Village Rengadigumpu, P.S. Aasrapet, Distt. Khammam (Telangana). **... Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.07 10:50:30 +0530

versus

State Of Chhattisgarh Through Station Houses Officer, P.S. Phoolbagdi, Distt. Sukma, Chhattisgarh **... Respondent**

For Applicant	:	Shri Ishwar Chandra, Advocate.
For Respondent/State	:	Smt. Smriti Shrivastava, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

05/10/2026

1. This is the **second 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.09/2025 registered at Police Station Phoolbagdi, District Sukma (C.G.), for the offence punishable under Sections 137(2), 64(2) of the Bhartiya Nyay Sanhita, 2023 (for short, the BNS) and under Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act). First bail application having been dismissed as withdrawn passed on 01.05.2026 in MCRC No.3486/2026, the present is second bail application.

2. As per the case of the prosecution, a complaint was lodged by the father of the victim making allegations against the applicant that the applicant had taken away the victim with him and despite his request to the father of the applicant, no response was evoked either from the applicant or from his father. On such complaint, the police registered the aforesaid offences, as stated above, against the present applicant.

3. Learned Counsel for the applicant would submit that the victim and her parents have already been examined, however, they have not supported the case of the prosecution. It is also argued that the victim denied the suggestions put forth by the Public Prosecutor. He would further contend that charge-sheet has already been filed and the applicant is in jail since 26.12.2025; 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, and therefore, the bail application deserves to be rejected.

5. Victim appeared along with her father through the video conferencing and has given her consent in granting bail to the applicant.

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

7. Having considered the fact that the victim and her parents have been examined before the trial Court and they have not supported the case

of the prosecution and even she denied the suggestions put forth by the Public Prosecutor; he has no criminal antecedents; charge-sheet has already been filed; he is in jail since 26.12.2025 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