CGHC010288992026 2026:CGHC:43195

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6907 of 2026

Vishal Gond S/o Chintamani Gond Aged About 18 Years R/o Powerbel, Turudi, Police Station Kundai, District- Navrangapur (Odisha) (Wrongly Written As C.G.) **... Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.07 10:45:15 +0530

versus

State Of Chhattisgarh Through- The Station House Officer, Police Of Police Station Kondagaon, District- Kondagaon, C.G. **... Non-Applicant**

For Applicant	:	Shri Ashok Verma, learned Senior Advocate with Shri K.S.Pradhan and Shri Anmol Verma, Advocates.
For Non-applicant/State	:	Ms. Ankita Shukla, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

06/10/2026

1. The applicant has preferred this **First Bail Application** under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.179/2026, registered at Police Station Kondagaon, District Kondagaon (C.G.) for the offence punishable under Sections 137(2), 64(2)(m) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS) and under Section 6 of Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as the POCSO Act, 2012).

2. Case of the prosecution, in brief, is that a written complaint was lodged

by the father of the victim making allegations that on 03.06.2026, the victim/prosecutrix had gone to somewhere without informing the family members, which led to lodge a missing report by the police and thereafter the victim was recovered from the village Bafna and on the basis of her statement, the offence, as mentioned above, was registered against the present applicant.

3. Learned Senior Advocate for the applicant would submit that the victim and her father have already been examined and they have not supported the case of the prosecution. It is also argued that on the date of incident, the victim was above 18 years. He would submit that the applicant is in jail since 08.06.2026 and trial may take some time for its conclusion. Therefore, he would pray for grant of regular bail to the applicant.

4. On the other hand, learned counsel appearing for the State would oppose the submissions made by the learned counsel for the applicant. She would submit that on the date of incident, i.e., 03.06.2026, the age of the victim was 16 years & 1 month and there is material with regard to her age. She would further contend that in her statement recorded under Section 183 of BNSS, the victim has made serious allegations against the present applicant, therefore, the instant bail application deserves to be rejected.

5. On 02.09.2026, the victim appeared along with her father and raised no objection in releasing the applicant on bail.

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

7. As per prosecution, though the age of the victim on the date of incident was 16 years 1 month, but the victim has already been examined and

she has mentioned her age to be 19 years before the learned trial Court. Further, in her deposition, she has not supported the case of the prosecution and she denied the commission of offence, as alleged in the F.I.R. Father of the victim has also been examined and he has also not supported the case of the prosecution, thus, both witnesses denied the suggestions put forth by the Public Prosecutor.

8. Having considered the above facts and further considering the evidence of victim and her father, detention period of the applicant and the trial is likely to take some considerable time, I am inclined to grant bail bail to the applicant. Accordingly, the bail application is **allowed.**

9. 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.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani