CGHC010290922026 2026:CGHC:43594

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6927 of 2026

1 - Nitesh Kujur S/o Meghpal Kujur Aged About 22 Years R/o Village Chhatasarai Guruwaama, P.S. Bagbahar District Jashpur, C.G.

2 - Akash Kujur S/o Kandru Kujur Aged About 18 Years R/o Village Chhatasarai Guruwaama, P.S. Bagbahar District Jashpur, C.G.

... Applicants

versus

1 - State Of Chhattisgarh Through- Police Station- Bagbahar District Jashpur, C.G.

... Respondent

For Applicants	**:**	Mr. Dinesh Yadav, Advocate
For Respondent /State	**:**	Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

08/10/2026

1. The applicants have preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as they

have been arrested in connection with Crime No. 43/2026, registered at Police Station Bagbahar, District – Jashpur (C.G.) for offence punishable under Sections 137(2), 65(1), 70(2), 87 and 96 of BNS and Section 4 of POCSO Act.

2. As per the case of the prosecution, on 03/05/2026 at about 8:00 p.m., the accused persons/applicants herein Akash Kujur and Nitesh Kujur, allegedly lured the 15-year-old victim, forcibly took her to a nearby field and committed sexual assault upon her. The victim managed to escape and returned home, where she narrated the incident to her family. On the basis of the written complaint lodged by her father on 05/05/2026, FIR was registered at Police Station for the above-stated offence.

3. Mr. Dinesh Yadav, learned counsel for the applicant, would argue that the victim and her parents have already been examined and they have not at all supported the case of the prosecution. He would further contend that victim has given her consent for grant of bail to the applicants. It is also contended that there is no previous criminal antecedents of the applicants; investigation has been completed; charge-sheet has already been filed and the applicants are in jail since 06/05/2026, thus, they be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Ms. Sameeksha Gupta, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that at the time of the incident, the victim

was aged about 14 years and 2 months and therefore, the contention of consent of the victim would be irrelevant as she was a minor. She would lastly submit that serious allegations have been levelled against the applicants with regard to sexual assault of the minor victim which has also been supported by medical evidence, therefore, they are not liable to be released on bail.

5. In compliance of order dated 30/07/2026, the victim along with her mother appeared before this Court through video conferencing from the concerned District Legal Services Authority (DLSA) on 02/09/2026 and raised on objection in grant of bail to the applicant.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. Having considered the fact that victim and her parents have already been examined before the trial Court and they have not at all supported the case of the prosecution and the victim, in her deposition, has denied suggestions put forth by the Public Prosecutor and also denied suggestions with regard to sexual assault, further having considered that the investigation is complete and charge-sheet has already been submitted; the applicants are in custody since 06/05/2026; the victim has given her consent for grant of bail to the applicants, this Court, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicants is **allowed**.

8. It is directed that in the event of the applicants 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, they shall be released on bail, on following conditions :-

   (i) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and

   (iii) they 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 herein-above is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Harneet