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HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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Date: 2026.10.14 14:04:39 +0530

MCRC No. 6950 of 2026

- Rajendra Prasad S/o Shri Sanak Sai, Aged About 29 Years Cast- Binjhwar, R/o Village - Kantaroli, Police Chauki Tara, P.S. Premnager, District Surajpur (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Tara, Police Station Premnagar, District Surajpur (C.G.)

... Non-Applicant

For Applicant : Mr. Shakti Raj Sinha, Advocate
For State : Mr. Sourabh Sahu, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

1. Victim along with her father appeared through virtual mode on 02.09.2026 and raised no objection in releasing the applicant on bail.

2. 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. 51/2026 registered at Police Station Premnagar, District Surajpur (C.G.), for the offence punishable under Sections. 376, 376(2)(n) of IPC and Section 6 of POCSO Act.

3. As per case of prosecution, on 29.04.2026, an FIR was lodged by victim to the effect that there was affair between the applicant and victim, which

continued for considerable period and on pretext of marriage he sexually assaulted her and subsequently he refused to marry her. It is stated that in the year 2017, when age of victim was 15 years, she was sexually exploited by the applicant herein. On such complaint, police registered offence as stated above.

4. Learned counsel for the applicant would contend that victim lodged an FIR after attaining majority on 29.04.2026, making allegation that in the year 2017, when her age was 15 years, she was sexually exploited by the present applicant. He would further contend that victim has already been examined and her deposition would make it clear that there was consensual relationship between them, which continued for considerable period. It is submitted that applicant has no previous criminal antecedent. It is also contended that there was considerable delay in lodging report by the victim and victim has given her consent for grant of bail, and therefore, this application may be allowed.

5. On the other hand, learned counsel for the State would oppose the bail application. Mr. Sourabh Sahu, Panel Lawyer, would submit that applicant sexually exploited the victim when she was 15 years of age. He would submit that in statement recorded under Section 183, victim has made serious allegations of sexual assault against the applicant. He would submit that instant application deserves to be rejected.

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

7. Having considered the facts and circumstances of the case, nature and gravity of allegation levelled against the present applicant and fact that FIR was lodged by the victim on 29.04.2026 after attaining age of 24 years, in

her deposition, victim has categorically stated that there was affair between applicant and victim, which continued for 9 years, applicant is in jail since 30.04.2026, and he has no criminal antecedent, therefore, without commenting anything on merits of the case, I am inclined to allow this application.

8. Accordingly, the regular bail application is allowed and 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, they 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 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

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