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KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7372 of 2026

A B C Nil

... Applicant(s)

versus

State Of Chhattisgarh Through P S Champa District Janjgir-Champa Chhattisgarh

... Non-Applicant(s)

For Applicant	:	Mr. Parasmani Shrivas, Advocate.
For Non-Applicant/State	:	Mr. Jitendra Shrivastava, Govt. Advocate.

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

27/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail, as he has been arrested in connection with Crime No. 281/2026, registered at Police Station Champa, District Janjgir-Champa (C.G.), for the offences punishable under Section 74 of the BNS and Section 8 of the POCSO Act.

2. The prosecution story, in brief, is that on 01.06.2026, at about 17:30 p.m., while the victim was standing near her house, the applicant approached her and enquired about her elder sister. When the

victim expressed her ignorance, the applicant allegedly made inappropriate remarks, proposed marriage to her, caught hold of her hand, pulled her towards himself and touched her breast. Thereafter, the victim narrated the incident to her father, who lodged a report at Police Station Champa, whereupon the aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the applicant was in a love relationship with the elder sister of the victim and they intended to marry each other. However, due to the said relationship, the father of the victim became annoyed and lodged a false report against the applicant. He would further submit that the victim and her father have already been examined before the learned trial Court and have not supported the prosecution case. The father of the victim has also expressed his no objection to the grant of bail to the applicant and in the present case, the charge-sheet has already been filed, the applicant is in jail since 02.06.2026 and the conclusion of trial is likely to take some time. Therefore, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant is alleged to have caught hold of the victim's hand, pulled her towards himself and touched her breast with sexual intent. Considering the nature and gravity of the allegations, the applicant is not entitled to be released on bail.

5. Pursuant to the order dated 06.10.2026, the victim along with her father appeared before this Court today through video conferencing and expressed their no objection to the 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 facts and circumstances of the case, nature and gravity of the offences alleged against the applicant, particularly the fact that the victim and her father have already been examined before the learned trial Court and have not supported the prosecution case, whereupon they were declared hostile, the testimony of the victim wherein she denied the allegations levelled against the applicant, charge-sheet has already been filed, the applicant is in jail since 02.06.2026 and the victim along with her father appeared before this Court through video conferencing and expressed their no objection to the grant of bail, this Court, without further commenting upon the merits of the case, is inclined to grant bail to the applicant.

8. Accordingly, the bail application of the applicant is **allowed**. 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 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

Kunal