CGHC010301582026 2026:CGHC:43034

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7534 of 2026

1 - Dinesh Vishwas S/o Gopal Vishwas Aged About 58 Years R/o Caste-Basakar, Old Rohtak Road, Rohila, Karol Bagh Center, Delhi. Present Residence Of Old Colony Housing Plot No. 13, Lalitpur Chowki, Police Station- Mandi, District- Lalitpur, Uttar Pradesh. (Details Of Applicant Properly Not Mentioned In The Impugned Order Sheet And Correct Details Is Being Mentioned As Per Chargesheet)

... Applicant

versus

1 - State Of Chhattisgarh Through- Sho Police Station- Karapavand, District- Bastar (C.G.)

... Non-applicant

For Applicant	:	Mr. Avinash Chand Sahu, Advocate
For Non-applicant /State	:	Mr. Nitansh Jaiswal, Dy. G.A.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

05/10/2026

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. 26/2026, registered at Police

Station Karapavand, District – Bastar (C.G.) for offence punishable under Sections 64, 143(2), 143(4) and 61(2), 89, 318, 319, 115(2), 351(2) of BNS and Sections 4, 5(L) and 6 of POCSO Act.

2. As per the case of the prosecution, father of the victim lodged a report stating that there was love affair between his daughter, aged about 17 years and main accused, Kamlesh Kushwaha, who abducted his daughter on the false promise of marriage and established sexual relations with her forcibly. The allegation against the present applicant is that he acted as a mediator between the main accused Kamlesh Kushwaha and the father of the victim. On the basis of the said report, police registered the aforesaid crime against the accused persons including the present applicant.

3. Mr. Avinash Chand Sahu, learned counsel for the applicant, would argue that the allegation of sexual assault is against the main accused Kamlesh Kushwaha and the mere allegation against the present applicant is that he acted as a mediator between Kamlesh Kushwaha and father of the victim. He would further contend that there is no previous criminal antecedent of the applicant, charge-sheet has already been filed and the applicant is in jail since 12/05/2026, therefore, he be released on bail and conclusion of trial is likely to take considerable time.

4. On the other hand, Mr. Nitansh Jaiswal, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the instant bail application is liable to be dismissed.

5. In compliance of order dated 14/08/2026, victim's father appeared before this Court through video conferencing from the concerned DLSA and raised serious 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 facts and circumstances of the case particularly considering that the allegation of sexual assault is against the main accused Kamlesh Kushwaha and the mere allegation against the applicant is that he acted as a mediator between Kamlesh Kushwaha and victim's father and further considering that there is no material available on record against the present applicant and he also has no previous criminal history; the charge-sheet has been filed and the applicant is in custody since 12/05/2026, 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 applicant is **allowed**.

8. 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 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, and

(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 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