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HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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Date: 2026.10.14 14:04:40 +0530

MCRC No. 7353 of 2026

- Hasnain @ Afsar Jilani S/o Akil Jilani Aged About 23 Years R/o Ward No. 02, Tikrapara Doundilohara District Balod C.G

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station Doundilohara, District Balod C.G.

... Non-Applicant

For Applicant : Mr. Prasoon Agrawal, Advocate
For State : Ms. Sameeksha Gupta, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

14.10.2026

1. 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. 90/2026 registered at Police Station Doundilohara, District Balod (C.G.), for the offence punishable under Sections 64(2)(m), 65(2), 126(1), 294 & 351(3) of BNS, Sections 4, 5(ठ), 6 of POCSO Act and Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. As per the case of the prosecution, mother of the victim lodged an FIR on 28.05.2026 to the effect that present applicant sexually exploited her daughter, aged about 10 years and 11 months, on several occasions from

28.09.2025 to 27.05.2026. It is alleged that on 26.05.2026, the applicant herein repeated the offence and subsequently, victim narrated the matter to her mother. On such complaint, police registered offence as stated above.

3. Mr. Prasoon Agrawal, Advocate appearing for the applicant would contend that applicant has been falsely implicated, he has not committed any offence, he is in jail since 29.05.2026, he has no criminal antecedent and victim has already been examined and has not supported the case of prosecution. He would contend that victim, in her deposition, has categorically stated that on the date of incident, i.e., 28.09.2025, she was scolded and abused by the applicant herein. He would submit that victim denied the suggestions put forth by the Public Prosecutor with regard to sexual assault. He would contend that as there is no allegation of sexual assault against the present applicant, this application may be allowed.

4. On the other hand, learned counsel appearing for the State would oppose the bail application. Ms. Sameeksha Gupta, Panel Lawyer would submit that on the date of incident, age of the victim was 10 years and 11 months. It is also contended that medical evidence supports the allegations made against the applicant. It is further contended that evidence of the victim cannot be assessed at this stage. She would submit that this application deserves to be rejected.

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

6. It is true that age of the victim on the date of incident was 10 years and 11 months and there are serious allegations of sexual assault against the present applicant, but the victim has already been examined and she has not

supported the case of prosecution and has denied the suggestion that she was sexually exploited by the present applicant. In her examination-in-chief, she stated that she was only scolded and abused by applicant on 28.05.2026. The victim has specifically denied the suggestions put forth by the Public Prosecutor. The applicant is in jail since 29.05.2026 and has no criminal antecedent.

7. Having considered the above-stated facts and circumstances, 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, 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

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