CGHC010308802026 2026:CGHC:45066

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7606 of 2026

Vedprakash @ Vicky Chakradhari S/o Madanalal Chakradhari Aged About 28 Years R/o Village Dulla, Police Station Chhura, District Gariyaband C.G.

… Applicant.

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Date: 2026.10.28 11:02:58 +0530

versus

State Of Chhattisgarh Through Station House Officer, Police Statin Chhura, District Gariyaband C.G. **... Non-applicant**

For Applicant	:	Shri C.R.Sahu, Advocate.
For Non-applicant/State	:	Shri Jitendra Shrivastava, Government Advocate.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

26/10/2026

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.106/2026 registered at Police Station Chhura, District Gariyaband (C.G.), for the offence punishable under Sections 64(2)(m), 65(1), 4(2) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023), Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012) and Section 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for brevity, the Act of 1989).

2. As per the case of the prosecution, on 01.06.2026 father of the victim lodged a report before the P.S. chhura to the effect that the applicant has given a false assurance to marry the victim and established physical relationship with her continuously for a considerable period, as a result of which, the victim conceived and was blessed with baby child. On such report, the police registered the offence as stated above.

3. Learned counsel for the applicant would submit that the the victim is a consenting party and that, the victim did not support the prosecution story. He would contend that in the present case, charge-sheet has already been filed; applicant is in jail since 02.06.2025; he has no criminal antecedents and conclusion of the trial is likely to take some considerable time. Therefore, he would pray that the bail application may be allowed and the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. He would submit that on the date of incident, the age of the victim was 16 years 09 months and thus she was minor. In her statement recorded under Section 183 of BNSS, the victim has made serious allegation of sexual assault against the present applicant, therefore, the bail application deserves to be rejected.

5. Victim along with her father appeared through virtual mode from the concerned DLSA and raised serious objection in releasing the applicant on bail.

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

case diary.

7. Having considered the age of the victim, who was 16 years and 9 months on the date of incident; her statement recorded under Section 183 of BNSS wherein she has made serious allegation of sexual assault against the present applicant; the medical evidence, according to which, the victim conceived and further the objection raised by the victim in not releasing the applicant on bail, I am not inclined to grant bail to the applicant.

8. Accordingly, the first bail application filed by the applicant fails and is hereby **rejected.**

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Anjani