CGHC010308812026 2026:CGHC:44683

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7501 of 2026

1 - Ajay Singh Rajput S/o Shri Gurudev Singh Rajput Aged About 25 Years R/o Village - Bachhalikhurd, Police Station - Ratanpur, District Bilaspur Chhattisgarh

… Applicant

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station - Ratanpur, District Bilaspur Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Akash Singh, Advocate
For Non-applicant /State	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

15/10/2026

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. 12/2026, registered at Police Station Ratanpur, District – Bilaspur (C.G.) for offence punishable

under Sections 137(2), 87 and 64(2)(m) of BNS; Section 5(L)/6 of POCSO Act and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989.

2. As per the case of the prosecution, a missing complaint was lodged by the mother of the minor victim on 04/01/2026 and subsequently, the victim was recovered on 13/01/2026 from Ambikapur wherein she was found in the company of the applicant. Her statement under Section 183 of BNSS was recorded wherein she has stated that the present applicant sexually assaulted her on the pretext of marriage on many occasions. On the basis of such complaint, the police arrested the present applicant and registered the aforesaid offence against him.

3. Mr. Akash Singh , learned counsel for the applicant, would argue that on the date of the incident, the age of the victim was more than 18 years and there was a love affair between the applicant and the victim and the victim herself accompanied the applicant and they stayed together in Ambikapur for a considerable period. He would further contend that victim has already been examined before the trial Court and there are certain contradictions and omissions in her deposition. He would further submit that there is no previous criminal antecedent of the applicant, the investigation has been completed and charge-sheet has already been filed and the applicant is in jail since 14/01/2026, thus, the appellant be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Ms. Laxmeen Kashyap, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that at the time of the incident, the victim was aged about 17 years and 4 months and therefore, the contention of consent of the victim would be irrelevant as she was a minor. She would lastly submit that serious allegations have been levelled against the applicant with regard to sexual assault of the minor victim in her statement under Section 183 of BNSS as well as in her deposition before the trial Court, therefore, he is not liable to be released on bail.

5. Victim's mother appeared before this Court through video conferencing from the concerned District Legal Services Authority (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. It is a well-settled principle of law that, while considering a bail application, the High Court cannot conduct a mini-trial or undertake a detailed examination of the evidence. The assessment of the reliability and credibility of the victim's deposition, as well as the testimony of other prosecution witnesses, falls within the domain of the trial Court and is to be undertaken during the course of trial.

8. Thus, having considered the fact that on the date of the accident, the age of the victim was below 18 years and in her statement under Section 183 of BNSS, she has made serious allegations of

sexual assault against the present applicant and further in her deposition before the trial Court, she has categorically stated that on the pretext of marriage, the applicant herein sexually assaulted her on various occasions, I am not inclined to release the present applicant on bail.

9. Accordingly, this bail application filed by the applicant **– Ajay Singh Rajput** who has been arrested in connection with Crime No.12/2026, registered at Police Station Ratanpur, District – Bilaspur (C.G.) for offence punishable under Sections 137(2), 87 and 64(2)(m) of BNS; Section 5(L)/6 of POCSO Act and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act, 1989 is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Harneet