CGHC010309822026 2026:CGHC:43157

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7557 of 2026

Aanand Sahu S/o Vijay Sahu Aged About 23 Years R/o Sandi, Out Post - Devarbija, Thana And Distt. Bemetara Chhattisgarh

... Applicant(s)

versus

The State Of Chhattisgarh Through S H O, Out Post Devarbija, Thana And Distt Bemetara Chhattisgarh

... Non-Applicant(s)

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

For Applicant	:	Mr. Arvind Prasad, Advocate.
For Non-Applicant/State	:	Mr. Akash Agrawal, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

06/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.66/2026 registered at Police Station Outpost Dewarbija, District Bemetara (C.G.) for the offences punishable under Sections 137(2), 87, 351(3), 64(2)(i)(m) and 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. The prosecution case, in brief, is that on 09.02.2026, the father of the victim lodged a report alleging that his minor daughter had gone missing from 06.02.2026 and was subsequently recovered from the present applicant on 09.02.2026. It is alleged that the applicant had induced and taken the victim with him and established physical relations with her. On the basis of the said report, the aforesaid offence was registered against the applicant and he was arrested on 10.02.2026.

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 at the relevant time, the victim was a major girl and had voluntarily left her home and stayed with the applicant for a considerable period. He would also submit that the investigation is complete and charge-sheet has already been filed before the competent Court. He would further submit that the victim has already been examined before the learned trial Court and has not supported the prosecution case. He would further submit that, in chief, the victim stated that she had left her home on her own and stayed with the present applicant voluntarily and she also denied the suggestions put forth by the learned Public Prosecutor with regard to the alleged sexual assault by the applicant. He would further submit that the applicant has no criminal antecedents, is in custody since 10.02.2026 and the conclusion of the trial is likely to take some time. Accordingly, 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 victim was aged about 15 years and 3 months at the time of the incident and therefore, was a minor. He would further submit that the allegations against the applicant are serious in nature and the victim was allegedly abducted/induced by the applicant and subjected to sexual assault. He would therefore pray for rejection of the bail application.

5. Pursuant to the order dated 14.08.2026, the victim and her father appeared before this Court through video conferencing and jointly raised 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 of allegations levelled against the applicant, the fact that the applicant has remained in custody since 10.02.2026, the investigation is complete and charge-sheet has already been filed before the competent Court and the applicant has no criminal antecedents and further considering the fact that the victim has already been examined before the learned trial Court and as submitted, has not supported the prosecution case and has stated in chief that she had left her home on her own and stayed with the applicant for a considerable period and has denied the suggestions put forth by the learned Public Prosecutor with regard to the alleged sexual assault and further considering that although the victim along with her father appeared before this Court through video conferencing and raised objection to the grant of bail, at this stage

this Court is not required to assess the reliability or credibility of the testimony of the victim, which would be a matter for consideration at the stage of final adjudication and also considering that the conclusion of the trial is likely to take some time, thus without further commenting upon the merits of the case, I am 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