CGHC010310372026 2026:CGHC:43012

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7553 of 2026

1 - Dinesh Kumar Minj S/o Tileshfor Minj Aged About 20 Years R/o Village Kothari, Manendragarh, District M.C.B. (C.G.).

... Applicant

versus

1 - State Of Chhattisgarh Through The Station House Officer, Baikunthpur District - Koriya (C.G.) **... Non-applicant**

For Applicant	:	Mr. Shakti Raj Sinha, Advocate
For Non-applicant	:	Ms. Priya Sharma, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

05.10.2026

1) The victim appeared along with her father through Video Conferencing and raised serious objection for grant of bail to the present applicant.

2) The applicant has preferred this First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), for grant of regular bail, as he has been arrested in connection with Crime No.406/2025, registered at Police Station Baikunthpur, District Koriya (CG) for the offence punishable under Sections 137(2), 87, 64(2)(m) of BNS and 5(I) & 6 of POCSO Act.

3) The prosecution case, in brief, is that on 22.11.2025, the prosecutrix came to the house of her maternal grandmother at Manendragarh. It is

alleged that, without informing any of her family members, she voluntarily went to the applicant, where the applicant allegedly established physical relations with her on the pretext of marriage. On the basis of the aforesaid allegations, the present applicant has been arrested. Hence, the bail application.

4) Learned counsel for the applicant would submit that the victim, her parents, and her maternal grandmother have already been examined before the learned trial Court and they have not supported the case of the prosecution. It is further contended that out of 19 witnesses, five witnesses have already been examined. He would further submit that the applicant is in jail since 25.12.2025 and as the trial may take some time to conclude, the applicant is entitled to be released on bail.

5) On the other hand, learned State counsel would oppose the bail application and submit that the age of the victim at the time of the incident was 16 years. She would further contend that, in her deposition, particularly in paragraph 5, the victim has made allegations of sexual assault against the present applicant for a period of one month. She would further submit that, considering the manner in which the offence was committed, the applicant is not entitled to the benefit of bail.

6) I have heard learned counsel for the parties and perused the case diary.

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 reliability and credibility of the witnesses are matters to be assessed by the learned Trial Court during the course of trial.

8) Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, the age of the victim, who was 16 years at the time of the alleged incident, and the statement of the victim recorded before the learned trial Court, particularly the contents of paragraph 5 thereof, wherein she has made specific allegations of sexual assault against the present applicant for a period of one month, this Court is of the considered view that the allegations against the applicant are serious in nature. Further, considering the manner in which the alleged offence is stated to have been committed and the material available on record, at this stage, this Court is not inclined to grant the benefit of bail to the applicant. Accordingly, the bail application is **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha