CGHC010314982026 2026:CGHC:45814

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7663 of 2026

- Ramjas Jakhad S/o Sri Bhagwana Ram Jakhad Aged About 27 Years Occupation - Private Job, R/o Ramnivas Colony, Krishna Nagar, Thana - Gandhi Nagar, Tehsil - Ambikapur, District - Surguja, Chhattisgarh.

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Sadar Thana Ambikapur, District - Surguja, Chhattisgarh.

... Respondent

For Applicant	:	Mr. Vivekanand Samaddar, Advocate
For State	:	Mr. Topilal Bareth, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas

Order On Board

29.10.2026

1. In pursuance of direction given by this Court, victim in person has appeared before this Court and has raised no objection in releasing the applicant on bail. Her submission is taken on record.

2. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested on 20.06.2026 in connection with Crime No. 356/2026, registered at Police Station - Ambikapur, District - Surguja (C.G.) for the offence punishable under Sections

64(2)(m) and 89 of Bhartiya Nyaya Sanhita (BNS), 2023 and Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”).

3. The prosecution case, in brief, is that on 30.05.2026, the victim lodged a written complaint alleging that she was a minor at the relevant time and the applicant who was aged about 22 years and resident of Gaya, Bihar, made physical relationship with her on the pretext of marriage. It is also the case of the prosecution that the applicant by alluring the victim has taken her to his residence, where he has made physical relationship with her on the pretext of marriage. When the victim subsequently asked him to marry her, he refused, whereupon she allegedly consumed poison on 25.04.2026. It is also alleged that, subsequently when she became pregnant, the victim informed the applicant about her pregnancy and the applicant has aborted the victim by giving the pills. On the basis of the complaint, the aforementioned offences were registered against the applicant. Upon completion of the investigation, the prosecution filed the charge-sheet, and the trial has already begun.

4. Learned counsel for the applicant would submit that the victim has been examined before the trial Court and she has not supported the prosecution case in her testimony. He would further submit that the charge-sheet has already been filed, the applicant is in incarceration since 20.06.2026 and the trial is likely to take some time to conclude. On these grounds, he would pray for releasing the applicant on bail.

5. On the other hand, learned State counsel opposes the bail application would submit that at the time of commission of offence, the victim was minor, therefore, any subsequent consent cannot be diluted the effect of alleged act committed by applicant and she would pray for rejection of the bail application.

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

7. Considering the facts and circumstances of the case, particularly, statement of the victim recorded before the trial Court, wherein she has not supported the case of the prosecution and the fact that the applicant is in jail since 20.06.2026, the charge-sheet has already been filed and the trial may take some time to conclude, I am inclined to release the application on bail.

8. Accordingly, the bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 25,000/- with one surety in the like amount to the satisfaction of the concerned trial court. He will appear before the trial court on each and every date given by the said trial court, till disposal of the trial.

Certified copy as per rules.

Sd/-
(Narendra Kumar Vyas)
Judge

Manish