CGHC010323262026 2026:CGHC:46978

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7914 of 2026

Ishwar Jangde S/o Late Nathela Jangde, Aged About 19 Years R/o Nayapara Ward No. 08, Gandapara, Police Station Gobra, Nayapara, District Raipur,CG

... Applicant

versus

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

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.11.05 19:00:53 +0530

For Applicant	**:** Shri Sudhir Verma, Advocate.
For Non-applicant/State	**:** Ms. Laxmeen Kashyap, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

05/11/2026

1. Victim appeared through virtual mode through concerned D.L.S.A. and has given consent for grant of bail to the applicant.

2. 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.08/2026 registered at Police Station Rajim, District Gariyaband (C.G.), for the offence punishable under Sections 137(2), 96, 81, 64(2)(e), 65(1), 87 of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023) and Section 4(2), 6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012).

3. As per the case of the prosecution, mother of the prosecutrix lodged an F.I.R. on 01.01.2026 to the effect that her elder daughter had left the home on 01.01.2026 and did not return the home till date. On such complaint/report, the police registered the offence as stated above against unknown person.

4. Learned counsel for the applicant would submit that the victim has been examined before the trial Court and did not support the prosecution story. He would further submit that complainant and elder sister of the prosecutrix have already been examined, but even they did not support the prosecution story. He would further contend that the applicant is in jail since 21.01.2026 and trial is likely to take some considerable time for its conclusion. Therefore, he would pray that the bail application may be allowed and the applicant may be enlarged on bail.

5. On the other hand, learned counsel for the State would oppose the bail application. She would submit that the applicant took the prosecutrix and had established physical relations with her. She would contend that the victim has made serious allegations of sexual assault against the applicant, therefore, the bail application deserves to be rejected.

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

7. The victim has been examined before the learned trial Court as P.W.1 wherein she disclosed her age to be 18 years; she further stated that there was love affair between the victim and the applicant, and therefore, marriage was solemnized between them and she was staying in the house of the applicant. It is further stated that when she was staying in the house of the applicant, her mother lodged missing

report. The victim has been declared hostile by the prosecution.

8. Having considered the above stated facts and further taking note of the fact that the applicant is in jail since 21.01.2026; the victim has given consent for grant of bail to the applicant and conclusion of trial may take some considerable time, without making any observation on merits of the matter, I am inclined to grant bail to the applicant. Accordingly, the instant bail application is **allowed.**

9. It is directed that the applicant shall be released on bail on his furnishing a **personal bond** in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with 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.

10. The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani