CGHC010323522026 2026:CGHC:44036

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7827 of 2026

Annamasi Xalxo S/o Dilu Xalxo, Aged About 21 Years R/o Village Maheshpur, P.S. Darima District Surguja (C.G.) **... Applicant**

versus

State Of Chhattisgarh Through Station House Officer, P.S. Raipur District Balrampur Ramanujganj (C.G.) **... Non-Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.12 18:37:35 +0530

For Applicant	:	Shri Nishi Kant Sinha, Advocate.
For Non-applicant/State	:	Shri Vivek Sharma, Panel Lawyer

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

12/10/2026

1. 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.43/2026 registered at Police Station Rajpur, District Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 137(2), 87, 64(1) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023) and Section 4(1) of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012).

2. As per the case of the prosecution, father of the victim has lodged missing report to the effect that the applicant took away the victim after

enticing her and committed sexual intercourse with her and on search, the victim has been recovered. On such complaint/report, the police registered the offence as stated above.

3. Learned counsel for the applicant would submit that the victim has already been examined as P.W.1 before the trial Court and she has deposed that she has gone to the house of her friend and after a week, she returned to her house and in the meanwhile, missing report was lodged; she denied the suggestions put forth by the public prosecutor with regard to sexual assault; applicant is in jail since 02.03.2026. It is also argued that the applicant has no criminal antecedents and conclusion of the trial is likely to take some considerable time. Therefore, he would pray that the bail application may be allowed and the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. He would submit that there is serious allegation of sexual assault against the present applicant, and therefore, the bail application deserves to be rejected.

5. Pursuant to notice issued, father of the victim appeared through the virtual mode and has 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.

7. Having considered the statement of the victim; the applicant is in jail since 02.03.2026; he has no criminal antecedents and that, the conclusion of the trial is likely to 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.**

8. 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.

9. 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