CGHC010330842026 2026:CGHC:46441

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8090 of 2026

- Rajkumar Verma S/o Rooplal Verma Aged About 21 Years Resident Of Aamagaon, P.S. Chhuriya, Dist. Rajnandgaon (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through - Station House Officer, Police Station Gandatola District Rajnandgaon (C.G.)

... Non-Applicant

For Applicant : Mr. Aditya Bhardwaj, Advocate
For State : Ms. Priya Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

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. 13/2026 registered at Police Station Gandatola, District Rajnandgaon (C.G.) for the offence punishable under Sections 137(2), 64(2)(m), 65(1), 87 of BNS, Section 6 of POCSO Act and Section 3(2)(v), 3(2)(va) of Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

2. As per the case of the prosecution, applicant allegedly abducted the minor victim on pretext of marriage and established physical relations with her despite knowing her age. On such complaint, police registered aforesaid

offence against the applicant.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in the present case. It is contended that in cross-examination, victim has categorically stated that there was consensual relationship between the applicant and victim. He further submits that applicant is in jail since 16.04.2026, they have solemnised their marriage, applicant has no criminal antecedents, and trial is likely to take some time to conclude. Thus, he prays for the grant of bail to the present applicant.

4. On the other hand, learned counsel for the State would oppose the bail application and submits that on the date of incident, age of the victim was 15 years and 5 months, and she was not competent to give her consent as she was a child according to the provisions of Section 2(d) of the POCSO Act. It is also contended that appreciation of evidence cannot be considered while entertaining a bail application. She submits that as there are serious allegations of sexual exploitation, the present application deserves to be rejected.

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

6. On 27.10.2026, victim appeared through video conferencing and raised serious objection in grant of bail to the applicant.

7. Having considered the nature and gravity of the allegations and the material available on record, and the fact that on the date of incident, victim was aged about 15 years & 5 month, in examination-in-chief she has categorically stated that she was sexually exploited by the present applicant. The reliability and credibility of the witnesses are matters to be assessed by the learned Trial

Court during course of trial and cannot be assessed at this stage. Further, while entertaining a bail application, the High Court cannot conduct a mini-trial or undertake a detailed examination of the evidence, therefore, I am not inclined to grant bail to the applicant.

8. Accordingly, instant bail application is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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