SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8022 of 2026

- Naindas Lahare S/o Ferha Ram Lahare, Aged About 24 Years R/o Village Fingeshwar Police Station Fingeshwar, District Gariyaband C. G.

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chhura, District Gariyaband C. G.

... Non-Applicant

For Applicant : Mr. K.S. Pradhan, Advocate
For State : Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

06.10.2026

1. Victim appeared along with her uncle through V.C. and has given her consent in grant of bail to the applicant.

2. This is the second 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. 156/2025 registered at Police Station Chhura, District Gariyaband (C.G.) for the offence punishable under Sections 137(2), 87, 64(2)(m) of BNS and Sections 4 & 6 of POCSO Act.

3. Earlier, first bail application i.e. MCRC No. 7278 of 2026 was rejected vide order dated 10.08.2026 as defaults were not rectified within given time.

4. As per case of prosecution, father of the victim lodged a missing report with

regard to his daughter. During course of investigation, police recovered the victim from possession of the present applicant and on the basis of her statement, the present applicant was arrested for the commission of offence as stated above.

5. Learned counsel for the applicant would contend that age of the victim on the date of incident was more than 18 years. He would further contend that applicant has falsely been implicated. He would further submit that victim has already been examined before the trial Court and she has not supported the case of prosecution. He would submit that applicant is in jail since 07.07.2026 and trial may take some time for its conclusion. He would contend that applicant has no criminal antecedents. Thus, he would pray for grant of bail to the applicant.

6. On the other hand, learned counsel for the State would oppose the bail application. Ms. Laxmin Kashyap, Panel Lawyer would submit that on the date of incident age of the victim was below 18 years. She would further submit that there are serious allegations against the applicant with regard to sexual assault in statement of the victim recorded under Section 183 of the BNSS, therefore, the present application deserves to be rejected.

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

8. Having considered the facts and circumstances of the case, the nature and gravity of the allegations levelled against the present applicant, the fact that the victim has already been examined before the trial Court and has not supported the case of prosecution at all even she denied the suggestions put forth by public prosecutor, applicant is in jail since 07.07.2026, trial may

take some time for its conclusion and applicant has no criminal antecedents, therefore, I am inclined to allow this application.

9. Accordingly, the regular bail application is allowed and it is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail on 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.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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