CGHC010338442026 2026:CGHC:43808

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8566 of 2026

Adil Khan S/o Raja Miya @ Raja Khan Aged About 19 Years R/o Baguniya P.S. Parvaliya Sadak, District- Bhopal, Madhyapradesh, **... Applicant**

versus

State Of Chhattisgarh Through- Police Station Khairagarh District-Khairagarh-Chhuikhadan-Gandai (C.G.) **... Non-Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.09 16:11:53 +0530

For Applicant	:	Shri Arvind Shrivastava, learned Senior Advocate assisted by Shri Indrajeet Singh Thakur, Advocate.
For Non-applicant/ State	:	Ms. Laxmeen Kashyap, Panel Lawyer.
For the Objector / Complainant	:	Shri Syed Irshad Ali, Advocate.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

09/10/2026

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.544/2025 registered at Police Station Khairagarh, District Khairagarh-Chhuikhadan-Gandai (C.G.), for the offence punishable under Sections 137(2), 87, 64(2)(m) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023), Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012) and under Section 3(2)(v) of the Scheduled Caste Scheduled Tribe (Prevention of Atrocities) Act, 1989 (in short, the Act of 1989)..

2. As per the case of the prosecution, on 16.12.2025, father of the prosecutrix/victim lodged a missing report at Police Station Khairagarh to the effect that his minor daughter had gone missing on 13.12.2025 and during course of investigation, the victim was recovered on 21.12.2025 from Bhopal. It is further case of the prosecution that the applicant acquainted with the victim through social media and on false pretext of marriage, took her and established physical relations. On such complaint/report, the police registered the offence as stated above.

3. Shri Arvind Shrivastava, learned Senior Advocate for the applicant would contend that the victim and her parents have already been examined before the learned trial Court and they have not supported the case of the prosecution. He would submit that the victim has specifically denied the fact that the present applicant sexually assaulted. He would contend that the suggestions made by the Public Prosecutor were also denied. It is also argued that the applicant is in jail since 22.12.2025; he has no criminal antecedents and that, the 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, Ms. Laxmeen Kashyap, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. She would submit that the applicant sexually assaulted the victim, aged about 16 years 11 months, and therefore, the bail application deserves to be rejected.

5. Shri Syed Irshad Ali, learned counsel appearing for the objector/complainant has raised no objection in releasing the applicant on bail. Victim and her father also appeared through video conferencing and the victim has no objection if the applicant is granted bail.

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

7. Having considered the fact that the victim and her parents have already been examined before the learned trial Court and they have not supported the case of the prosecution; the victim has specifically denied the fact that the present applicant sexually assaulted; the suggestions made by the Public Prosecutor were also denied; the applicant is in jail since 22.12.2025; 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