CGHC010342412026 2026:CGHC:45315

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8218 of 2026

1 - Sonu Singh Yadav S/o Sagar Singh Yadav @ Jhabloo Yadav Aged About 20 Years R/o Ward No. K-55, Sheetlapara, Pulgaon, Police Station- Pulgaon, District- Durg (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through Police Station Arjunda, District- Balod (C.G.)

... Non-applicant

For Applicant	**:**	Mr. Arpit Parakh, Advocate
For Non-applicant /State	**:**	Ms. Priya Sharma, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

27/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 82/2026, registered at Police

Station Arjunda, District – Balod (C.G.) for offence punishable under Sections 332(b) and 64(1) of BNS and Sections 4 and 5(L)/6 of POCSO Act.

2. As per the case of the prosecution, in the intervening night of 01/06/2026 and 02/06/2026, the present applicant trespassed into the house of the victim and sexually assaulted her. On the complaint made by victim's brother, police registered the aforesaid offences against the present applicant.

3. Mr. Arpit Parakh, learned counsel for the applicant, would argue that the victim has already been examined before the trial Court and she has not at all supported the case of the prosecution. He would further contend that there was a love affair between the applicant and the victim and the relationship between them was consensual in nature. He would lastly contend that investigation has been completed, charge-sheet has already been filed and the applicant is in jail since 13/10/2025 and he has no criminal antecedents, thus, he be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Ms. Priya Sharma, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that at the time of the incident, the victim was a minor and therefore, the contention of consent of the victim would be irrelevant. She would further submit that serious allegations have been levelled against the applicant with regard to sexual assault of

the minor victim, therefore, he is not liable to be released on bail.

5. Victim appeared before this Court through video conferencing from the concerned District Legal Services Authority (DLSA) and gave her consent for grant of bail to the applicant.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. Having considered the fact that the victim has already been examined before the trial Court and she has not at all supported the case of the prosecution and she has also given her consent for grant of bail to the applicant and further considering that charge-sheet has been filed, the applicant has no criminal antecedents and he is in jail since 13/10/2025, this Court, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicant is **allowed**.

8. 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 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, and

(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, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet