SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8277 of 2026

- Prakash Yadav S/o Shobharam Yadav, Aged About 23 Years R/o Village - Bakarkuda, Police Station - Masturi, District - Bilaspur C.G.

... Applicant

versus

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

... Non-Applicant

For Applicant : Mr. Chandrikaditya Pandey, Advocate
For State : Ms. Monika Thakur, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

06.10.2026

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. 190/2026 registered at Police Station Torwa, District Bilaspur (C.G.), for the offence punishable under Section 62(2)(m) of BNS and Sections 4 & 6 of POCSO Act.

2. Case of the prosecution, in brief, is that the victim, aged about 20 years, was acquainted with the present applicant and they were in contact through mobile phone since 2023. It is alleged that on 04.10.2023, when she was a minor, the applicant took her into a hotel on pretext of marriage and established physical relation with her. It is further alleged that the applicant

continued to establish physical relations with her at various places and when she became pregnant, the applicant gave her a pill for abortion. Thereafter, on 03.09.2025, he again established physical relation with her and refused to marry her. On such complaint, aforesaid offence was registered against the applicant.

3. Learned counsel for the applicant submits that there was love affair between the applicant and victim, which continued from 04.10.2023 to 03.09.2025, charge-sheet has already been filed, applicant is in jail since 14.04.2026 and trial is likely to take some time for its conclusion. He would further submit that applicant has no criminal antecedents. Thus, he would pray for grant of bail.

4. On the other hand, learned counsel appearing for the State would oppose. She would submit that the present applicant sexually assaulted the victim when her age was below 18 years and there are serious allegations against the applicant, therefore, this application deserves to be rejected.

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

6. Victim appeared through V.C. and raised serious objection in grant of bail to the present applicant.

7. Having considered the fact that FIR was lodged by the victim after attaining age of majority on 14.04.2026; there was consensual relationship between them, which continued from 04.10.2023 to 03.09.2025, charge-sheet has been filed and applicant is in jail since 04.04.2026, I am inclined to grant bail to the present applicant.

8. 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/-

each 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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