CGHC010345772026 2026:CGHC:45314

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8402 of 2026

1 - Yohan Minj S/o Munna Minj, Aged About 26 Years R/o Village -Kudar Baswar, Chowki Kedama, P.S. -Udaipur, District - Sarguja (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through P.S. Ambikapur, District -Sarguja (C.G.)

... Non-applicant

For Applicant	:	Mr. Sunil Tripathi, 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. 59/2026, registered at Police

Station Ambikapur, District – Sarguja (C.G.) for offence punishable under Sections 137(2), 87, 5(L) and 64(2)(m) of BNS and Section 6 of POCSO Act.

2. As per the case of the prosecution, FIR was lodged by the victim after attaining the age of majority on 29/01/2026 to the effect that the present applicant, on the pretext of marriage, sexually assaulted her on several occasions from 20/03/2021 to 29/09/2025 and subsequently, refused to marry her. On the said complaint, police registered the aforesaid offence against the present applicant.

3. Mr. Sunil Tripathi, learned counsel for the applicant, would argue that there was a love affair between the applicant and the victim and the relationship between them was consensual in nature. He would further submit that from 20/03/2021 to 29/09/2025, the applicant and the victim stayed together at Mumbai for a period of one month and at Ambikapur for one week. It is also argued that the applicant was ready to marry but the victim herself refused and lodged a false complaint against the applicant. He would lastly contend that investigation has been completed, charge-sheet has already been filed and the applicant is in jail since 12/06/2026 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 aged about 16 years and 1 month 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 raised serious objection in 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 there was a love affair between the applicant and the victim and from 20/03/2021 to 29/09/2025, they stayed together at various places like Ambikapur and Mumbai and further considering that there is a delay of 4-5 years in lodging FIR and there is no explanation for the said delay and lastly considering that charge-sheet has been filed, the applicant has no criminal antecedents and he is in jail since 12/06/2026, 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