CGHC010347642026 2026:CGHC:43661

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8298 of 2026

Lokesh @ Lokeshwar Dhruv S/o Shri Raghunath Dhruv Aged About 24 Years Permanent R/o Mudtarai Thana Panduka Distt- Gariaband (C.G.) Presently Residing At Gram Kapsidih Ward No.18, Schoolpara Thana Rajim District-Gariaband (C.G.) **... Applicant**

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.10.09 10:10:17 +0530

versus

State Of Chhattisgarh Through- Station House Officer, Police Station Rajim, District Gariaband (C.G.) **... Non-Applicant**

For Applicant	:	Shri Pragalbha Sharma, Advocate.
For Non-applicant/State	:	Shri Vivek Sharma, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

08/10/2026

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.209/2026 registered at Police Station Rajim, Distt. Gariyaband (C.G.), for the offence punishable under Section 74, 331(3), 296, 351(3) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023) and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012).

2. As per the case of the prosecution, on 31.07.2026 at about 8.45 AM, the applicant entered into the house of the complainant and caught hold of the hands of the victim. In the statement recorded under Section 183 of BNSS, it is alleged that the present applicant tied her hands and legs and stripped her and tried to outrage her modesty and when she raised her voice, the applicant fled away. On such complaint, the police registered the offence as stated above.

3. Shri Pragalbha Sharma, learned counsel for the applicant would contend that on the date of incident, age of the victim was 17 years 2 months. It is also contended that charge-sheet has already been filed and the applicant is in jail since 01.08.2026 and there is improvement by the victim in her statement recorded under Section 183 of BNSS. He would contend that in the F.I.R., there is allegation to the effect that the present applicant caught hold of hands of the victim. He would submit that the applicant is innocent and has falsely been implicated on account of dispute. He would further contend 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, Shri Vivek Sharma, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. He would contend that the present applicant with sexual intent, outraged modesty of the minor girl. He would submit that in the statement recorded under Section 183 of BNSS, serious allegations have been made against the applicant, therefore, the bail application deserves to be rejected.

5. Despite service of notice on father of the victim for appearance today, he failed to appear either through V.C. or in person.

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

7. Having considered the fact that in the F.I.R. which was lodged on the next date of incident, i.e., on 01.08.2026, there was allegation that the present applicant caught hold of hands of the victim and thus tried to outrage her modesty whereas in the statement recorded under Section 183 of BNSS, which was recorded on 04.08.2026, the victim improvised her statement and alleged that the present applicant tied her hands and legs and stripped her and also tried to sexually insult her and further considering that the charge-sheet has already been filed; the applicant is in jail since 01.08.2026; further conclusion of trial may take some considerable time and there is no criminal antecedent, 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