CGHC010354482026 2026:CGHC:44991

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8551 of 2026

1 - Pramod Kumar Nilkan S/o Santosh Kumar Nilkan Aged About 22 Years R/o Village- Hardi (Wrongly Mentioned As Hardihari) Police Station Nawagarh District- Janjgir-Champa (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through- Station House Officer, Police Station Nawagarh District- Janjgir-Champa (C.G.)

... Non-applicant

For Applicant	:	Mr. Malay Shrivastava, Advocate
For Non-Applicant	:	Ms. Sameeksha Gupta, P.L.
For Objector/Complainant	:	Mr. Vikash Shrivastava, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

26.10.2026

1. Heard.

2. 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. 112/2026 registered at Police Station Nawagarh, District Janjgir-Champa (C.G.) for the offence punishable under Section 137(2), 87, 64(2)(m) & 65(1) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4

& 6 of the POCSO Act.

3. As per the prosecution story, the victim lodged an FIR alleging that the applicant had abducted and sexually assaulted her. On the basis of said FIR, the applicant was arrested on 07.06.2026. Hence, the bail application.

4. Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would further submit that the victim and her father have already been examined before the learned trial Court and they have not supported the case of the prosecution. He would contend that the applicant has no criminal antecedents; he is in jail since 07.06.2026 and conclusion of the trial may take some time, thus, he prays for grant of regular bail to the present applicant.

5. On the other hand, learned State counsel opposes the bail application and submits that the applicant is accused of abducting and sexually assaulting the victim. Therefore, he prays for rejection of the bail application.

6. Learned counsel appearing for the complainant would submit that the complainant has no objection to the grant of bail to the applicant.

7. I have heard learned counsel for the State and perused the case diary.

8. Considering the facts and circumstances of the case, the nature and gravity of the allegations, the fact that the applicant has no criminal antecedent, the victim and her father have already been examined before the learned trial Court and have not supported the case of the prosecution and further considering that the applicant is in jail since 07.06.2026, without expressing any opinion on the merits of the case, I

am of the opinion that the applicant is entitled to be released on bail in this case. Accordingly, the bail application is **allowed.**

9. 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, they shall be released on bail on the following conditions:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the learned trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Rekha