CGHC010356902026 2026:CGHC:43040

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8603 of 2026

Santosh Sahu S/o Mohan Sahu Aged About 22 Years R/o Gaidpuri Chowki, Chharbhata, P.S. Kawardha, Distt. Kabirdham Chhattisgarh

... Applicant(s)

versus

KUNAL DEWANGAN

Digitally signed by KUNAL DEWANGAN

State Of Chhattisgarh Through P.S. Mahila Thana Kawardha Distt. Kabirdham Chhattisgarh

... Non-Applicant(s)

For Applicant	:	Mr. Devesh C. Verma, Advocate.
For Non-Applicant/State	:	Ms. Priya Sharma, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

05/10/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.08/2026 registered at Mahila Police Station, Kawardha, District Kabirdham (C.G.) for the offences punishable under Sections 74, 75(2), 126(2), 131, 49 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that on 16.03.2026, while the

victim was returning to her home along with her mother, a white Bolero vehicle came in front of them and four persons allegedly got down from the vehicle, obstructed the way of the victim and allegedly misbehaved with her and forcibly attempted to take her into the vehicle. On the basis of the report lodged by the victim, the aforesaid crime was registered. During investigation, on the basis of the memorandum statement of co-accused Bhuneshwar Sinha, the present applicant and other co-accused persons were implicated in the offence and were identified by the victim. The applicant was arrested on 25.07.2026 and charge-sheet has already been filed before the competent Court.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the applicant was not named in the FIR and has been implicated subsequently on the basis of the memorandum statement of co-accused. He would also submit that the main accused, namely Bhuneshwar Sinha, has already been granted bail by a coordinate Bench of this Court in M.Cr.C. No.6580/2026 vide order dated 20.08.2026. He would further submit that the applicant is in custody since 25.07.2026 and the charge-sheet has already been filed. The conclusion of the trial is likely to take some time. Accordingly, he prays for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the applicant has been implicated

during investigation on the basis of the memorandum statement of co-accused and the identification made by the victim. However, she fairly submits that the charge-sheet has already been filed before the competent Court but looking to the seriousness of this case, the applicant is not entitled for grant of bail.

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

6. Considering the facts and circumstances of the case, nature and gravity of the allegations levelled against the applicant, the fact that the applicant was not named in the FIR, his implication during investigation on the basis of the memorandum statement of co-accused, the fact that the main accused Bhuneshwar Sinha has already been enlarged on bail by a coordinate Bench of this Court in M.Cr.C. No.6580/2026 vide order dated 20.08.2026, the applicant is in custody since 25.07.2026 and the charge-sheet has already been filed before the competent Court and conclusion of the trial is likely to take some time, thus without further commenting upon the merits of the case, I am inclined to grant bail to the applicant.

7. Accordingly, the bail application of the applicant is **allowed**. 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 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

Kunal