CGHC010362292026 2026:CGHC:44035

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8657 of 2026

Balram Sahu S/o Shri Ramesh Kumar Sahu Aged About 25 Years R/o Village Mudhipar Thana- Bilha, Distt- Bilaspur (C.G.) --- **Applicant**

versus

The State Of Chhattisgarh Through Station House Officer, Police Station Bilha, Distt- Bilaspur (C.G.) --- **Non-Applicant**

For Applicant	:	Shri Sunil Sahu, Advocate.
For Non-applicant/State	:	Shri Sourabh Sahu, Panel Lawyer

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

12/10/2026

1. The applicant has preferred the **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.240/2026, registered at Police Station (C.G.) for the offence punishable under Sections 64(1), 351(3), 331, 3(5) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS) and 3/4(1), 5(j)(ii) of the Protection of Children from Sexual Offences Act, 2012 (in short, the POCSO Act, 2012).

2. Case of the prosecution, in nutshell, is that on 08.01.2026 at about 11:00 hours, while the victim was alone in her house, the applicant came there and committed forcible sexual assault on her. It is also

alleged that the victim conceived and she was provided the abortion pills and when her health condition deteriorated, she was taken to the hospital Based on these allegations, the aforesaid offence was registered against the present applicant.

3. Learned counsel appearing for the applicant would submit that there was consensual relationship between the victim and the applicant; her age was around 18 years on the date of incident and there was delay in registration of F.I.R. It is also argued that the victim has already been examined and she has partially supported the case of the prosecution. He would further contend that the applicant is in jail since 04.05.2026 and conclusion of trial may take some considerable time. He would, therefore, pray for grant of bail to the applicant.

4. On the other hand, learned State counsel would oppose the bail application and submit that the victim supported the case of the prosecution and has made serious allegation of sexual assault on her and age of the prosecutrix was below 18 years on the date of incident, therefore, the bail application of the present applicant deserves to be rejected.

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

6. Victim’s mother appeared through virtual mode and has raised serious objection in grant of bail to the applicant.

7. Having considered the contents of F.I.R. and the deposition of the victim wherein she has made serious allegations of forcible sexual

assault on the pretext of marriage and subsequently she conceived and the age of the victim at the time incident, I am not inclined to allow the instant bail application. Accordingly, the first bail application is liable to be and is hereby **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani