CGHC010362962026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8870 of 2026

1 - Punesh Sharma S/o Late Suresh Sharma, Aged About 34 Years R/o Qr. No. B/33, C. M. P. D. I. Colony, Kusmunda, P. S. Kusmunda, Tehsil - Katghora, District Korba (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through - Police Station Kotwali Korba, District Korba (C.G.) --- **Non-applicant**

For Applicant	:	Mr.Vikas Kumar Pandey, Advocate
For Non-applicant	:	Ms. Ritika Verma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

06.10.2026

1) The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, he has been arrested in connection with Crime No.153/2026 registered at Police Station- Kotwali Korba, District Korba (C.G.) for the offence under Section 69 of the BNS Act.

2) The case of the prosecution, in brief, is that the victim, a mature lady aged about 35 years, lodged an FIR on 17.02.2026 alleging that the present applicant sexually assaulted her during the period from 12.09.2024 to 15.06.2025 on the pretext of marriage and subsequently

refused to marry her. On the basis of said complaint, the police registered the offence as stated above. Hence, the present bail application.

3) Learned counsel for the applicant submits that there was a consensual relationship between the applicant and the victim, which continued for a considerable period. It is further submitted that the charge-sheet has already been filed and the applicant is in jail since 11.08.2026. Therefore, he prays for grant of regular bail to the applicant.

4) On the other hand, learned State counsel would oppose the bail application and submit that the victim was sexually assaulted by the present applicant on the pretext of marriage, and subsequently, the applicant refused to marry her, pursuant to which the FIR was lodged.

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

6) Having considered the fact that the applicant and the victim are both mature persons, aged about 35 and 34 years, respectively, and they remained in a relationship for the period from 12.09.2024 to 15.06.2025; the FIR was lodged with a delay of about eight months on 17.02.2026; the charge-sheet has already been filed; the applicant is in jail since 11.08.2026; and though the applicant has three criminal antecedents but none of them is of a similar nature, without commenting anything on the merits of the case, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

7) 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.

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