CGHC010364942026 2026:CGHC:46586

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8827 of 2026

Sankit Kujur S/o Vishwanath Kujur Aged About 22 Years R/o Gram Tengari, Police Station Bhandariya, District Garhwa (Jharkhand)

... Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police Station Balrampur District Balrampur Ramanujganj C. G.

... Respondent(s)

For Applicant	:	Mr. Sachin Nidhi, Advocate
For Non-Applicant	:	Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

03.11.2026

1. The victim along with her mother appeared through video conferencing facilitated by the concerned DLSA and raised an objection for grant of bail to the applicant.

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. 118 of 2024 registered at Police Station : Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 137 (2), 87, 64 (1), 64 (2) (m) of

BNS and Section 4 of POCSO Act.

3. As per the prosecution case, the informant, who is the mother of the victim, lodged a written report at Police Station Balrampur on 16.07.2024, stating therein that her 17-year-old minor daughter had left the house without informing anyone during the intervening night of 01.07.2024 at around 02:00 AM. Accordingly, an FIR bearing Crime No. 118/2024 was registered under Section 137(2) of the Bharatiya Nyaya Sanhita (BNS) against an unknown accused person. During the course of investigation, the police allegedly recovered the minor victim on 16.11.2024 from the possession of the present applicant at his residence situated in Village Tengari, District Garhwa, Jharkhand. It is further alleged by the prosecution that, in her subsequent statement recorded by a female police officer, the victim stated that the applicant had lured her on the pretext of marriage, abducted her, and subjected her to forcible sexual intercourse on multiple occasions. On the basis of the aforesaid statement, the police added offences under Sections 87, 64(1), and 64(2)(m) of the BNS, along with Sections 4 and 6 of the Protection of Children from Sexual Offences (POCSO) Act. Consequently, the applicant was formally arrested on 16.11.2024 at 10:00 AM. Upon completion of the investigation, the police submitted the final report/charge-sheet (Challan No. 131/2024) before the learned Special Court on 04.12.2024. On the basis of the aforesaid allegations made by the prosecution, the present applicant has been charged with offences punishable under Sections 137(2), 87, 64(1), and 64(2)(m) of the BNS and Sections 4 and 6 of the POCSO Act, in connection with Crime No. 118/2024, registered at Police Station Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.

4. Learned counsel for the applicant submits that there was a consensual relationship between the applicant and the victim, and that the victim accompanied the applicant of her own free will. They stayed at various places for a period of more than four months. He further submits that the FIR was lodged at the instance of the victim's mother and that the victim herself has not made any allegation of sexual assault against the applicant. It is also contended that the charge-sheet has been filed, the applicant has no criminal antecedents, and the victim has not appeared before the Trial Court for further cross-examination since 16.12.2025. He further submits that the applicant has been in custody since 16.11.2024. Accordingly, he prays for grant of bail to the applicant.

5. Per contra, learned counsel for the State opposes the bail application and submits that the victim and her mother have raised objections to the grant of bail to the applicant. He further submits that the victim was below 18 years of age at the relevant time. Therefore, the bail application deserves to be rejected.

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

7. Having heard learned counsel for the parties and upon consideration of the materials available on record, particularly the fact that the victim stayed with the applicant for more than four months and that there was a love relationship between them, coupled with the fact that the charge-sheet has been filed, the applicant has no criminal antecedents, and the victim has not appeared before the concerned Trial Court for further cross-examination, as well as the fact that the applicant has been in custody since 16.11.2024, this Court is of the considered opinion that further detention of the applicant is not

warranted at this stage. Moreover, the conclusion of the trial is likely to take considerable time. Therefore, without expressing any opinion on the merits of the case, this Court is inclined to allow the bail application.

8. It is directed that in the event of the applicant, on executing a personal bond for a sum of **Rs. 50,000/-** to the satisfaction of the concerned trial Court, he 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

Saurabh