CGHC010365102026 2026:CGHC:44109

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9093 of 2026

*** -** Omprakash Yadav S/o Surajnath Yadav Aged About 22 Years R/o Village Chhermunda, Police Station - Dhourpur, District Surguja (C.G.)

... Applicant

Versus

*** -** State Of Chhattisgarh Through Station House Officer, Police Station - Dhourpur, District - Surguja (C.G.)

... Non-Applicant

For Applicant	:	Mr. Gagan Pandey, Advocate
For Non-Applicant	:	Mr. Jitendra Shrivastava, Government Advocate

Hon’ble Shri Justice Rakesh Mohan Pandey
Order on Board

12/10/2026

1. The applicant has preferred this first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 as he is in jail since 27.06.2026 in connection with Crime No. 42/2026 registered at Police Station- Dhourpur, District Surguja (C.G.), for commission of offence punishable under Sections 331(4), 64(1) & 115(2) of BNS.
2. As per case of prosecution, the victim lodged a written report on 26.06.2026 making allegation that on 23.06. 2026, the present applicant forcibly entered in her house and sexually assaulted her and when other family members reached there, he fled away. On such

complaint, the offence as stated above was registered against the applicant.

3. Learned counsel appearing for the applicant would argue that the victim improvise her statement subsequently when her statement under Section 183 of BNSS was recorded. It is also contended that initially there was no allegation of sexual assault. He would contend that the medical report does not support the allegation made against the present applicant. He would submit that charge-sheet has already been filed, the applicant is in jail since 27.06.2026 and he has no criminal antecedent, therefore, this bail application may be allowed.

4. On the other hand, learned counsel appearing for the State would contend that on 23.06.2026, the applicant forcibly entered in the house of the victim and sexually abused her and F.I.R. was lodged on 26.06.2026 without delay. It is also contended that other members of the family of the victim have categorically stated in their statements to the effect that the applicant sexually assaulted the victim and when they reached on the spot, he fled away. He would contend that the bail application deserves to be rejected

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

6. Having considered the fact that the applicant entered into house of the victim and sexually exploited her on 23.06.2026 and when other family members reached there, he fled away, the victim has made specific allegation of sexual assault against the applicant in the F.I.R. registered on 26.06.2026 and subsequently the statement recorded under Section 183 of BNSS, further the allegation made against the applicant and the

manner in which offence was committed, I am not inclined to release the applicant on bail. Accordingly, the bail application is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

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