CGHC010372612026 2026:CGHC:43699

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8951 of 2026

1 - Yogesh Dadsena S/o Motilal Dadsena Aged About 35 Years Resident Of Village Baradoli, Police Station Basna, District Mahasamund (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through- The Station House Officer Police Of Police Station Saraipali, District Mahasamund (C.G.) **... Non-applicant**

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Vivek Sharma, PL

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

08.10.2026

1) This is the first bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicant arrested in connection with Crime No. 81/2026 registered at Police Station Saraipali, District Mahasamund (C.G.) for alleged commission of offence punishable under Sections 64 and 351(2) of BNS.

2) As per the prosecution story, in brief, the victim, aged about 29 years, lodged a written report against the present applicant alleging that on 08.03.2026, the applicant came to her house and forcibly sexually assaulted her and also prepared a video clip. It is further alleged that

the applicant threatened to kill her son. 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 would submit that the applicant and the victim were acquainted with each other prior to her marriage and there was a consensual relationship between them. He would further submit that, on the date of the incident, the applicant called the husband of the victim and sent him some old video clips and photographs. He would submit that when the husband of the victim reached home, he compelled the victim to lodge an FIR against the applicant, resulting in registration of the FIR. He would contend that the FIR has been falsely registered against the applicant. He would further submit that the charge-sheet has already been filed, the applicant is in jail since 12.08.2026, and he has no criminal antecedents. Therefore, the applicant is entitled to be released on bail.

4) On the other hand, learned State counsel would oppose the bail application and submit that the present applicant entered the house of the victim on 08.03.2026 and sexually assaulted her. He would further submit that, in her statement recorded under Section 183 of the BNSS, the victim has repeated the allegations made in the FIR. He would contend that his bail application deserves to be rejected.

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

6) The contention made by Mr. Gulati with regard to the consensual relationship cannot be accepted, as the present case is one where the

applicant came to the house of the victim for the first time on 08.03.2026 and sexually assaulted her. It is not a case where the applicant and the victim maintained a relationship for a considerable period. It is further alleged in the FIR and in the statement of the victim recorded under Section 183 of the BNSS that the applicant threatened to kill the son of the victim and also prepared video clips.

7) It is also argued by Mr. Gulati that when the applicant made a call to the husband of the victim and sent some old photographs and video clips, thereafter, the FIR was lodged against the applicant. The said contention cannot be accepted because prompt FIR was lodged by the victim against the present applicant and there was no reason for the victim to make a false complaint of sexual assault against the accused. The fact that the charge-sheet has been filed would also not dilute the allegations made against the applicant with regard to sexual assault.

8) Having considered the facts discussed above, I do not find any good ground to allow this bail application. Accordingly, the bail application is **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha