SIDDHANT TAMRAKAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8949 of 2026

- Rameshwar Dahariya S/o Late Ramsay Dahariya Aged About 54 Years R/o H. No. 324, Village Achhoti, Tehsil And District Durg Chhattisgarh (Address Wrongly Mentioned In The Covering Page Of The Impugned Order)

... Applicant

versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Newai, District Durg Chhattisgarh

... Non-Applicant

For Applicant : Ms. Aditi Singhvi, Advocate
For State : Mr. Sourabh Sahu, Panel Lawyer

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 Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 574/2026 registered at Police Station Newai, District Durg (C.G.), for the offence punishable under Sections 75, 351(3) of BNS.

2. As per the case of the prosecution, on 26.08.2026, victim lodged a written report to the effect that on 03.08.2023, at about 1:00 p.m., when she was discharging her duties as a Placement Officer in the office of the Municipal Corporation, Bhilai, the present applicant came there in a drunken condition and tried to outrage her modesty, when she shouted, he ran away. On such

complaint, the police registered an offence as stated above.

3. Learned counsel appearing for the applicant would argue that there was a delay of 23 days in lodging report by the complainant, charge-sheet has already been filed, applicant is in jail since 27.08.2026 and the independent witnesses have not supported the case of prosecution with regard to commission of offence punishable under Section 75 of the BNS. She would submit that applicant used to come to the office in a drunken condition and that was the reason, the victim lodged a false FIR against the present applicant. She would further contend that the applicant has been served with a show-cause notice by the department on that account and he has no criminal antecedent. She would pray for grant of bail to the present applicant.

4. On the other hand, learned counsel for the State would oppose the bail application. Mr. Sourabh Sahu, learned Panel Lawyer would submit that there is an allegation against the present applicant to the effect that he touched private parts of the victim while she was in the office. It is also stated that at that time, other employees were present. He would contend that this application deserves to be rejected.

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

6. Having considered the fact that there was a delay of 23 days in lodging the FIR, independent witnesses have not stated against the applicant with regard to commission of offence punishable under Section 75 of BNS, charge-sheet has already been filed, applicant is in jail since 27.08.2026, and there is no criminal antecedent against him, therefore, I am inclined to allow this

application.

7. Accordingly, the regular bail application is allowed and 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.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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