CGHC010378042026 2026:CGHC:45819

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 9045 of 2026

Lakhan Goud S/o Motiram Goud Aged About 23 Years R/o Village Sargiguda, P.S. Mathli, Distt. Malkangiri, Odisha.

... Applicant.

versus

State Of Chhattisgarh Through The Station House Officer, Police Of Police Station -Puspal, Distt. Sukma, Chhattisgarh.

--- Respondent

For Applicant : Ms. Sangeeta Soni, Advocate.
For Respondent : Ms. Laxmin Kashyap, PL.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

29/10/2026

1. This is first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 04/2026 registered at Police Station -Puspal, Distt. Sukma, Chhattisgarh, for offences punishable under Sections 137(2) & 64(2)(m)(f) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 4 and 6 of the Protection of Children from Sexual Offences (POCSO) Act.

2. The prosecution case, in brief, is that present applicant is a relative of the complainant/prosecutrix. In March 2025, the applicant allegedly visited the prosecutrix's house, obtained her mobile number and, thereafter, maintained regular contact with her over the phone. On 12.04.2025, the applicant allegedly visited her village and established sexual relations with her and, thereafter, he continued to establish sexual relations with her on subsequent occasions. On the night of 09.03.2026, the applicant again visited the prosecutrix's village and took her away with him. Based on complaint, report was lodged and during course of investigation, prosecutrix was recovered from the applicant's possession and on the basis of her statement, offence/crime was registered against the applicant.
3. Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in this case. The prosecutrix/victim and her mother have already been examined before the trial Court and they have not supported the case of the prosecution. In her deposition, victim disclosed her age about 17 years and she also denied the suggestions put forth by the public prosecutor. The applicant has no any previous criminal antecedents, he is languishing in jail since 20.03.2026 and conclusion of trial likely take some time, hence, the applicant may be enlarged on regular bail.
4. On the other hand, learned counsel appearing for the State opposes the bail application and submits that looking to the nature of offence,

applicant may not be enlarged on bail.

5. In compliance with the order dated 26.09.2026, the victim alongwith her father appeared before this Court through virtual mode from the concerned DLSA and she raised no objection if the applicant is released on bail.

6. Heard learned counsel for the parties and perused the case diary.

7. Considering facts of the case, submissions of counsel for the parties, nature of offence, particularly the fact that the prosecutrix/victim and her mother have already been examined before the trial Court and they have not supported the case of the prosecution, further considering that the applicant has no previous criminal antecedents, he is in jail since 20.03.2026, conclusion of trial will take some time, without expressing any opinion on the merits of the case, this Court is inclined to release the applicant on bail.

8. Accordingly, the bail application is **allowed**. 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 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, and
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> (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.

9. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-
(Rakesh Mohan Pandey)
Judge

J/-