CGHC010380662026 2026:CGHC:47384

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9216 of 2026

1 - Puran Soni Son Of Satish Soni Aged About 25 Years Resident Of Eklabya School Ground, Dabaripara, Rampur Ward, P.S., Tahsil And District Dhamtari (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Of Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.)

... Non-applicant

For Applicant	**:**	Mr. Anil Kumar Gulati, Advocate
For Non-applicant /State	**:**	Mr. Sharad Mishra, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

17/11/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 60/2026, registered at Police

Station City Kotwali, Dhamtari, District – Dhamtari (C.G.) for offence punishable under Sections 4 and 12 of POCSO Act.

2. As per the case of the prosecution, mother of the victim lodged a report on 11/02/2026 alleging that on 09/02/2026, while her son was playing cricket with other children and when he returned at around 11 PM, he informed that the applicant had taken him to a lonely place and after removing his clothes, he tried to sexually assault him. On the said complaint, police registered the aforesaid offence against the applicant.

3. Mr. Anil Kumar Gulati, learned counsel for the applicant, would argue that applicant is innocent and he has falsely been implicated. He would further submit that investigation has been completed and charge-sheet has been filed and the applicant is in jail since 12/02/2026 and since conclusion of trial is likely to take considerable time, therefore, he may be released on bail.

4. On the other hand, Mr. Sharad Mishra, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that at the time of the incident, the victim was aged about 16 years and 6 months, thus, he was a child according to the provisions contained under Section 2(1)(d) of POCSO Act. He would further contend that the applicant herein committed penetrative sexual assault against the victim which is a punishable offence according to Sections 4 and 8 of POCSO Act. He would also contend that serious allegation has been made against the

applicant by the victim, therefore, this bail application filed by the applicant be rejected.

5. Victim and her mother appeared through video conferencing from the concerned DLSA and raised serious objection in grant of bail to the applicant.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. It appears that the victim has already been examined as PW-1 before the trial Court on 29/05/2026 and he has made a categorical statement that on the date of the incident, the applicant took him to a lonely place on the point of knife where the applicant removed his clothes and committed the offence of penetrative sexual assault. In his statement under Section 183 of BNSS also, the victim has made serious allegation of sexual assault against the applicant.

8. Thus, having considered the nature and gravity of the offence, the serious allegations made against the applicant and the age of the victim on the date of the incident, I am not inclined to release the present applicant on bail.

9. Accordingly, this bail application is hereby rejected.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet