CGHC010381732026

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9188 of 2026

1 - Ved Prakash Mahara S/o Chandrika Mahara Aged About 21 Years At Bhatapara Mohandi, P. S. Khallari, District Mahasamund Chhattisgarh.

...Applicant

REKHA SINGH
Digitally signed by REKHA SINGH
DN: cn=REKHA SINGH, ou=HIGH COURT, o=HIGH COURT OF CHHATTISGARH, st=Chhattisgarh, c=IN
Date: 2026.11.02 14:26:43 +0530

versus

1 - State Of Chhattisgarh Through S H O P. S. Fingeshwar District Gariyaband, Chhattisgarh. **... Non-applicant**

For Applicant	**:**	Mr. Lukesh Kumar Mishra, Advocate
For Non-Applicant	**:**	Ms. Ankita Shukla, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

02.11.2026

1. Heard.

2. The victim appeared through Video Conferencing from concerned DLSA and raised no objection for grant of bail to the present applicant.

3. 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. 189/2026 registered at Police Station Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Section 137(2), 87, 65(1) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 & 6 of the POCSO Act.

4. The prosecution story, in brief, is that the applicant and the victim, aged about 17 years and 11 months at the time of the incident, were in a love relationship. The victim accompanied the applicant on 17.08.2026. On 18.08.2026, the father of the victim lodged a missing report, pursuant to which she was recovered on 19.08.2026 and the present applicant was arrested. Hence, the present bail application.

5. Learned counsel appearing for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case. He would contend that the applicant and the victim were in a love relationship and, in her statement recorded under Section 183 of the BNSS, the victim has categorically stated about their affair. He would further submit that the applicant is in jail since 20.08.2026, the charge-sheet has already been filed before the competent Court, and he has no criminal antecedents. He would also submit that the victim has no objection to the grant of bail and the conclusion of the trial may take some time. Therefore, he prays for grant of regular bail to the applicant.

6. On the other hand, learned State counsel appearing for the State would oppose the bail application and submit that the victim was aged about 17 years and 11 months at the time of the incident, which is below the age of majority. She would further submit that the consent of the victim is immaterial in view of her age and, therefore, the applicant is not entitled to be released on bail.

7. I have heard learned counsel for the State and perused the case diary.

8. Having considered the facts and circumstances of the case, particularly that the applicant and the victim were in a love relationship; the victim,

in her statement recorded under Section 183 of the BNSS, has stated about her affair with the applicant; the victim was aged about 17 years and 11 months at the time of the incident; the applicant is in jail since 20.08.2026; the charge-sheet has already been filed before the competent Court; the applicant has no criminal antecedents; and the victim has no objection to the grant of bail, without expressing any opinion on the merits of the case, I am inclined to allow the bail application. Accordingly, the bail application is **allowed**.

9. 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:-

(a) he shall make himself available for interrogation by the police officer as and when required;

(b) 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; and

(c) he shall not act in any manner which will be prejudicial to a fair and expeditious trial.

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

Sd/-
(Rakesh Mohan Pandey)
JUDGE

Rekha