CGHC010382032026 2026:CGHC:44257

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9151 of 2026

1 - Jailal Yadav S/o Basant Yadav, Aged About 56 Years R/o Village - Gopalpur, P. S. Rajpur, District - Balrampur - Ramanujganj (C.G.)

... Applicant

versus

1 - State Of Chhattisgarh Through S H O, Police Station - Shankargarh, District - Balrampur - Ramanujganj (C.G.)

... Non-applicant

For Applicant	:	Mr. Rishikant Mahobia, Advocate
For Non-applicant /State	:	Ms. Monika Thakur, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13/10/2026

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. 70/2026, registered at Police

Station Shankargarh, District – Balrampur - Ramanujganj (C.G.) for offence punishable under Sections 69, 89, 115(2), 351(2) and 3(5) of BNS.

2. As per the prosecution story, between 15.08.2025 and 20.03.2026, co-accused Kamil Yadav introduced himself to the victim through Instagram and on the pretext of marriage, forcibly established physical relations with her. He thereafter took her to his house, where she became pregnant. Subsequently, co-accused Kamil Yadav and other co-accused persons as well as the present applicant (family members of Kamil Yadav) assaulted the victim, stating that they would neither marry her nor keep the child. Co-accused Savita, forcibly administered abortion pills to the victim. On 23.03.2026, co-accused Kamil Yadav and other co-accused persons including the applicant again assaulted the victim and threw her out of the house. When the victim went to the police station to lodge a report, co-accused Rajkumar asked her to give him a few days and assured her that the marriage would thereafter be arranged. However, the marriage was not arranged, and he insisted the victim to accept an amount of Rs. 1,00,000/-. Co-accused Kamil Yadav also threatened the victim and forced to accept the money or to face dire consequences. The medical documents of the victim have also been produced in the case, which indicate that she was pregnant and subsequently underwent medical termination of pregnancy. Consequently, the FIR was lodged against the accused persons by the victim, pursuant to

which the offences, as stated above, were registered against them.

3. Learned counsel for the applicant would submit that the main accused in the present case is Kamil Yadav. He would further submit that although there are allegations against the present applicant that he has assaulted the victim along with other co-accused persons but the principal allegation with regard to establishing physical relations with the victim and the subsequent pregnancy is against co-accused Kamil Yadav. He would further submit that the applicant has one live criminal antecedent registered in the year 2019 for offence punishable under Sections 147, 148, 149, 307, 452 of the IPC. It is also contended that co-accused Rajkumar Yadav, Savita and Ganeshwar Yadav have already been enlarged on bail by this Court vide order dated 21/09/2026 passed in MCRC/7416/2026. He would lastly submit that the investigation has been completed, charge-sheet has been filed and the applicant is in jail since 30/07/2026 and since conclusion of trial is likely to take considerable time, therefore, the applicant may be released on bail.

4. On the other hand, learned State counsel would oppose the bail application and submit that there are specific and serious allegations against the present applicant. She would further submit that the applicant actively participated in assaulting the victim. She would also submit that the medical documents available on record corroborate the fact that the victim was pregnant and subsequently underwent medical termination of pregnancy. She therefore prays

for rejection of the bail application.

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

6. Taking into consideration the facts and circumstances of the case, and particularly considering the fact that though there is one live criminal antecedent of the applicant registered in the year 2019 for offence punishable under Sections 147, 148, 149, 307, 452 of the IPC, but further considering that charge-sheet has already been filed, the applicant is in jail since 30/07/2026 and conclusion of trial is likely to take considerable time and further looking to the fact that the allegation of sexual assault is against co-accused Kamil Yadav, and co-accused Rajkumar Yadav, Savita and Ganeshwar Yadav have already been enlarged on bail by this Court vide order dated 21/09/2026 passed in MCRC/7416/2026, without commenting on the merits of the case, I am inclined to grant bail to the present applicant. Accordingly, the bail application is **allowed**.

7. Let the applicant be released on bail on furnishing a personal bond for a sum of Rs.50,000/- each with one surety in the like sum to the satisfaction of the learned Court concerned, subject to 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, and

(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.

8. The observation made herein-above 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

Harneet