CGHC010382672026 2026:CGHC:43159

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9375 of 2026

REKHA SINGH Digitally signed by REKHA SINGH DN: cn=REKHA SINGH, o=HIGH COURT, ou=HIGH COURT OF CHHATTISGARH, st=Chhattisgarh, c=IN Date: 2026.10.06 14:22:29 +0530

1 - Rama Dhurve S/o Bachan Ram Aged About 40 Years Both R/o Village Pandari (Dholpakhnapara) P. S. Raghunath Nagar District Balrampur Chhattisgarh.

2 - Sona Mati W/o Rama Dhurve Aged About 38 Years R/o Village Pandari (Dholpakhnapara) P. S. Raghunath Nagar District Balrampur Chhattisgarh.

... Applicants

versus

1 - State Of Chhattisgarh Through Station House Officer Police Station Ramkola, District Surajpur Chhattisgarh.

... Non-applicant

For Applicants	:	Mr. Chandraprakash Choubey, Advocate
For Non-applicant	:	Ms. Laxmin Kashyap, PL

Hon’ble Shri Justice Rakesh Mohan Pandey

Order On Board

06.10.2026

1) This is the Second bail application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.

No.08/2026, registered at P.S.-Ramkola, District - Surajpur, (C.G.) for commission of offence punishable under Sections 137(2), 87, 65(1), 127(2) & 142 of Bharatiya Nyaya Sanhita, 2023 and Sections 4, 17 of POCSO Act and Sections 3/181, 5/180, 146/196 of Motor Vehicles Act, 1988. Earlier first bail application of the applicants bearing MCRC No.5235 of 2026 was rejected on merits vide order dated 24.07.2026.

2) The prosecution case, in brief, is that on 16.03.2026, Jagdhari Singh lodged a report at Police Station Ramkola, District Surajpur, alleging that his 15-year-old daughter had left home on 14.03.2026 at about 03:00 p.m. on the pretext of visiting a relative and did not return. As she was in contact with co-accused Sarat Kumar over mobile phone, suspicion was raised that he had enticed and taken her away. The present applicants, being the parents of co-accused Sarat Kumar, were also implicated in the alleged offence, leading to registration of the crime against them. Thereafter, the applicants were arrested in connection with the afore-stated offence. Hence, the present bail application.

3) Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the present case. It is further submitted that there is no material on record to show that the applicants induced, enticed, confined, concealed or wrongfully restrained the prosecutrix. It is contended that earlier first bail application of the applicants was rejected on merits in MCRC No. 5235 of 2026. He would further submit that the applicants are in jail since 22.04.2026 and the trial is likely to take some time for its conclusion, therefore, he prays for grant of bail to the present applicants.

4) On the other hand, learned State counsel opposes the bail application and submits that the victim/prosecutrix is a minor girl aged about 15 years and one day, and the applicants, being the parents of co-accused, had wrongfully confined the prosecutrix in their house, where the co-accused, who is their son, committed sexual assault upon her. He would contend that the first bail application of the applicants was rejected on merits and there is no substantial change in circumstances warranting reconsideration of the prayer for bail. Therefore, the applicants are not entitled to be enlarged on bail.

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

6) Having considered the nature and gravity of the allegations, the fact that the victim/prosecutrix is a minor girl aged about 15 years and one day, and the specific allegation that the present applicants, being the parents of co-accused, had wrongfully confined the prosecutrix in their house, where the co-accused, who is their son, allegedly committed sexual assault upon her, this Court finds that serious allegations have been levelled against the present applicants. It is further significant that the victim/prosecutrix, in her deposition before the learned Trial Court, has supported the case of the prosecution. Further, the first bail application filed by the applicants was rejected on merits by a detailed order passed in M.Cr.C. No. 5235 of 2026, and no substantial change in circumstances or any new ground has been brought on record so as to warrant a different view in the present application.

7) Considering the overall facts and circumstances of the case, the nature and gravity of the allegations, the statement of the victim before the learned Trial Court, and the previous rejection of the bail application on merits, this Court is not inclined to grant bail to the present applicants. Accordingly, the bail application is **rejected.**

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha