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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9452 of 2026

Digitally signed by ALLENA ANJANI KUMAR
Date: 2026.11.05 19:00:53 +0530

Sonu Mehra S/o Inder Singh Mehra Aged About 20 Years R/o B-2/16 Near Seva Gurudwara, Chavni Moholla, Central Post Office Police Station D B Number, Ludhiyana, Punjab. **... Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Sarkanda, Distt- Bilaspur (C.G.) **... Non-Applicant**

For Applicant	:	Shri Sumit Singh Rathore, Advocate.
For Non-applicant/State	:	Ms. Laxmeen Kashyap, Panel Lawyer.

(HON'BLE SHRI JUSTICE RAKESH MOHAN PANDEY)

Order on Board

05/11/2026

1. Father of the victim appeared through virtual mode and has given consent for grant of bail to the applicant.

2. 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.425/2026 registered at Police Station Sarkanda, District Bilaspur (C.G.), for the offence punishable under Sections 137(2), 87, 64(2)(ङ) of Bhartiya Nyay Sanhita, 2023 (for short, the BNS, 2023) and Section 5(ठ)/6 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, the POCSO Act, 2012).

3. As per the case of the prosecution, on 31.03.2026, father of the victim has lodged a complaint stating therein that his daughter was abducted by some unknown person. During course of investigation, the victim/prosecutrix was recovered from the possession of the applicant on 16th of May, 2026. On such complaint/report, the police registered the offence as stated above against the applicant.

4. Learned counsel for the applicant would submit that there was love affair between the victim and the applicant; the victim in her statement recorded under Section 183 of B.N.S.S. stated that she has voluntarily left her house and accompanied the applicant and they stayed in a Hotel where they maintained physical relation and they also stayed in a rented house in Delhi wherefrom the victim was recovered by the Police Officials. He would further contend that the applicant is in jail since 17.05.2026; charge-sheet has been filed; he has no criminal antecedents and conclusion of the trial is likely to take some considerable time. Therefore, he would pray that the bail application may be allowed and the applicant may be enlarged on bail.

5. On the other hand, learned counsel for the State would oppose the submissions advanced by the learned counsel for the applicant. She would submit that on the date of incident, age of the victim was below 18 years and thus she was not legally competent to give her consent. She would contend that the victim has made serious allegations of sexual assault against the applicant, therefore, the bail application deserves to be rejected.

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

7. As per documents annexed with the charge-sheet, the age of the

victim, on the date of incident was around 17 years. The victim, in her statement recorded under Section 183 of B.N.S.S. stated that she had voluntarily left her house and accompanied the applicant as there was love affair between them and family members were aware of this fact. charge-sheet has already been filed. Applicant is in jail since 17.05.2026; he has no criminal antecedents and conclusion of trial may take some considerable time.

8. Having considered the above facts, without making any observation on merits of the matter, I am inclined to grant bail to the applicant. Accordingly, the instant bail application is **allowed.**

9. It is directed that the applicant shall be released on bail on his furnishing a **personal bond** in sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Court concerned with 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, &
(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.

10. The observation made herein above is for the purpose of deciding this bail application only and the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Anjani