CGHC010394082026 2026:CGHC:46231

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9626 of 2026

Aakash Kumar S/o Ajay Singh Aged About 28 Years R/o Village Machadoli, Bullarsite, Tahsil Podi Uproda, P.S. Bango, Distt. Korba, Chhattisgarh.

... Appellant

versus

State of Chhattisgarh through Station House Officer, P.S. Bango, Distt. Korba, Chhattisgarh.

... Respondent

For the applicant	:	Mr. Aditya Khare, Advocate
For the State	:	Mr. Kalpesh Ruparel, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

02.11.2026

1. This is third bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No.51/2026 registered at Police Station Bango, District Korba Chhattisgarh for the offence under Sections 64(2)(i) of BNS and Section 4(1) of the POCSO Act.

2. The first bail application was dismissed as withdrawn by order dated 16.04.2026 and later the second one was dismissed by order dated 12.05.2026 passed in MCRC No. 4120 of 2026.

3. As per the prosecution case, the victim had lodged a report to the effect that the accused has subjected her to sexual intercourse over the past one year under the false pretext of marriage, claiming to be in love with her, he first established physical relation with her at her residence on 22.11.2025 and subsequently engaged in sexual intercourse on 02.03.2026

and when she insisted for marriage, he denied to marry her. Based on this offence has been registered against him.

4. Learned counsel for the applicant submits that after rejection of second bail application, the victim has been examined on 22.07.2026 and subsequently 4 other witnesses have also been examined, therefore, there is changing circumstances in this case. He submits that the court statement victim shows that there was love affairs between the victim and applicant; it has not been proved that she was minor and she was a consenting party. He next submits that the applicant is in jail since 06.03.2026 ; till date out of 20 witnesses, only 5 have been examined and there is no immediate possibility of disposal of the case, therefore, considering all these aspects, the applicant may to be released on bail, at this stage.

5. Per contra, learned State Counsel opposes the bail application and submits that at the time of incident, the victim was minor and in her court statement, she has supported the case of prosecution. Therefore, this bail application be rejected.

6. The victim has not been connected to VC despite service of notice. Therefore, her opinion regarding objection/non-objection to grant of bail could not be recorded.

7. Having considered the submissions made by learned counsel for the parties and the changing circumstances after rejection of the second bail petition as 5 witnesses have been examined and further considering the court statement of victim as also the fact that the applicant is in jail since 06.03.2026 and the trial is yet to take time, without observing anything on merits of the case, I am inclined to release the applicant on regular bail.

8. Accordingly, this bail application is allowed and the present applicant is directed to be released on bail on his furnishing a bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed in that behalf.

Cc as per rules.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

Rao

ALLENA ANNAJEE RAO
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Date: 2026.11.03 12:19:25 +0530