CGHC010402802026 2026:CGHC:44385

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9791 of 2026

1 - Arjun Singh Netam Son Of Rajendra Singh Netam Aged About 22 Years Resident Of Rampur Basti, Near Hanuman Temple, Police Station Civil Line Rampur, Korba, District - Korba, Chhattisgarh.

... Applicant

versus

1 - State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Civil Line Rampur, District - Korba, Chhattisgarh.

--- **Non-applicant**

For Applicant	:	Mr. Ajay Kumar Chandra, Advocate
For Non-applicant	:	Mr. Keshav Gupta, GA

Hon'ble Shri Justice Rakesh Mohan Pandey

Order On Board

14.10.2026

1) This is the second bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant, who has been arrested in connection with Crime No.273/2026, registered at Police Station Civil Line Rampur, District Korba (C.G.) for the offence punishable under Sections 332(b) and 64 of Bharatiya Nyaya Sanhita, 2023. Earlier first bail application of the

applicant bearing MCRC No.6706 of 2026 was rejected on merits vide order dated 27.07.2026.

2) The prosecution case, in brief, is that on 30.03.2026, at about 4:00 PM, the present appellant allegedly entered the house of the victim and forcibly had sexual intercourse with her against her will. On the basis of the victim's report, the police registered an offence and, after investigation, filed the charge-sheet before the competent Court.

3) Learned counsel for the applicant would submit that the applicant is innocent and has falsely been implicated in the present case.It is further submitted that the applicant is in jail since 31.03.2026 and the trial is likely to take some time for its conclusion. He would contend that some of the witnesses have been examined and have not supported the prosecution case. It is further argued that the victim/prosecutrix has since died due to ill-health, as evidenced by the medical report filed as Annexure A/3. He would further submit that the applicant's first bail application was rejected on merits in MCRC No. 6706 of 2026 vide order dated 27.07.2026. Therefore, he prays for grant of bail to the present applicant.

4) On the other hand, learned State counsel opposed the bail application and submitted that the applicant's earlier bail application was rejected on merits. He further submitted that the charge-sheet has already been filed. It is contended that the victim had been suffering from jaundice for the last one year and, as she was experiencing pain in her legs, her minor daughter was pressing her legs when the accused entered the house, sent the minor daughter to another room, and thereafter committed sexual assault upon the victim. He further

submitted that, after recording the victim's statement under Section 183 of the BNSS, the victim died due to multiple organ failure. Therefore, the bail application may be rejected.

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

6) It is a well-settled principle of law that, while considering a bail application, the High Court cannot conduct a mini-trial or undertake a detailed examination of the evidence. The reliability and credibility of the witnesses are matters to be assessed by the learned Trial Court during the course of trial.

7) Having considered the facts and circumstances of the case, the submissions made by learned counsel for the parties, and the material available on record, particularly the nature and gravity of the alleged offence; the allegation that the applicant entered the house of the victim, sent her minor daughter to another room, and thereafter committed sexual assault upon the victim; the fact that the statement of the victim was recorded under Section 183 of the BNSS; and the submission of learned State counsel that the victim subsequently died due to multiple organ failure, this Court is of the considered view that no ground is made out to grant bail to the applicant. Though the applicant has contended that some of the witnesses examined during the trial have not supported the prosecution case and the victim died due to ill-health, these circumstances, at this stage, do not warrant reconsideration of the prayer for bail, particularly when the applicant's earlier bail application was rejected on merits vide order dated 27.07.2026 in MCRC No. 6706 of 2026. No substantial change in circumstances has been demonstrated to justify a different view.

Accordingly, this Court is not inclined to grant bail to the applicant. The bail application is, therefore, **rejected**.

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Rekha