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HIGH COURT OF CHHATTISGARH AT BILASPUR

SIDDHANT TAMRAKAR
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MCRC No. 9693 of 2026

- Chandan Patel S/o Shri Daulat Ram Patel Aged About 20 Years R/o Village Bangaur, Police Station Kurud Distt- Dhamtari (C.G.)

... Applicant

versus

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Kurud Distt- Dhamtari (C.G.)

... Non-Applicant

For Applicant : Mr. Praveen Dhurandhar, Advocate
For State : Mr. Vivek Sharma, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13.10.2026

1. This is the second 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. 310/2025 registered at Police Station Kurud, District Dhamtari (C.G.), for the offence punishable under Sections 4 & 6 of POCSO Act and Section 3(2)(v) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

2. Earlier, first bail application i.e. MCRC No. 6282 of 2026 was rejected as withdrawn vide order dated 16.09.2026

3. Case of the prosecution, in brief, is that mother of the victim lodged a report stating that her minor daughter aged about 15 years was found pregnant upon

medical examination. The victim alleged that the applicant/accused had established physical relations with her on several occasions from July 2023 to September 2025 on pretext of marriage. Accordingly, the FIR was registered on 20.11.2025 against the applicant.

4. Learned counsel for the applicant submits that victim has already been examined before the learned Trial Court as PW-1 and she has not supported the case of prosecution. He would submit that first bail application was rejected as withdrawn with liberty to revive after examination of prosecution witness. It is further submitted that as victim has not supported case of prosecution and applicant is jail since 21.11.2025, therefore, this application may be allowed.

5. On the other hand, learned counsel for the State would oppose the bail application and submit that on the date of incident victim was 15 years of age as per medical report, and she was sexually assaulted and subsequently conceived. It is further submitted that DNA report is positive against the present applicant.

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

7. Having considered the rival submissions and the materials available on record, this Court finds that the DNA report is stated to be positive against the present applicant. Further, the allegation against the applicant is that he established physical relations with the victim on several occasions on pretext of marriage, resulting in her pregnancy. It is also evident from the medical report that the victim was aged about 15 years at the relevant time. In view of the aforesaid circumstances, notwithstanding the fact that the victim has

not supported the case of the prosecution during her examination as PW-1, this Court is not inclined to enlarge the applicant on bail. Accordingly, the bail application is **rejected**.

Sd/-
(Rakesh Mohan Pandey)
JUDGE

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