CGHC010423632026 2026:CGHC:46811

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1785 of 2026

Golu Dewangan S/o Late Rajesh Dewangan Aged About 30 Years Occupation - Labour, R/o Village Amlibhauna, Tahsil And District Raigarh (C.G.)

... Applicant (s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Jutmill, District Raigarh (C.G.)

... Respondent(s)

For Applicant	:	Mr. Hari Agrawal, Advocate
For State	:	Mr. Aman Tamrakar, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

04/11/2026

1. Applicant has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.611 of 2026 registered at Police Station- Jutmill, District-Raigarh (CG) for offence punishable under Sections 74, 75, 331 (3) of BNS.

2. Case of prosecution, in brief, is that on 07.10.2026, mother of the victim appeared at Police Station Jutmill and lodged an oral

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report that her second daughter (the victim), aged about 25 years, is deaf and mute since childhood and that the family members communicate with her through signs. It is alleged that on 07.10.2026 complainant had gone to work in her field at about 08:00 a.m. and the other family members had gone to attend a programme at Ramlila Maidan, Raigarh, leaving the victim alone at home. When the complainant returned at about 12:00 noon she found the victim crying, and on being asked by signs, the victim conveyed by signs that between 11:00 and 11:30 a.m. the applicant, who resides in the same locality, forcibly entered the house, hugged her, pressed her breast and molested her. When she pushed him and hit him with her fist, applicant fled away. It is further alleged that the complainant's sister-in-law (devrani) also arrived at that time, to whom too, victim conveyed the incident by signs. On the basis of said report, Crime No. 611/2026 was registered and the applicant is apprehending his arrest in connection with aforesaid crime number.

3. Learned counsel for the applicant would submit that the applicant is innocent. He has not committed any offence. He contended that learned trial Court has rejected the bail application of the applicant only on presumption, considering that there is a criminal antecedent of applicant of the year 2016 of similar nature. However, it is submitted that the applicant has already been acquitted of the charges levelled against him in the said criminal case.

4. Per contra, learned State counsel would oppose the submissions advanced on behalf of the applicant and submit that both the complainant/victim and her mother are mute and communicate with others through sign language. Incident took place between 11:00 to 11:30 AM and when the victim's mother came to house at 12:00 noon, victim narrated incident to her mother and thereafter both of them narrated incident to neighbour who in relation is Aunt by sign language and based upon which report is lodged making allegation against applicant. He also submits that statement under Section 180 of BNSS of Poornima Sidar (Aunt of complainant) is recorded by the police wherein she named the applicant.

5. I have heard learned counsel for the parties and perused the documents available on record.

6. Taking into consideration the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties, manner in which the alleged offence is reported to have been committed against the mute person, I do not find present to be a fit case to extend the benefit of anticipatory bail to applicant.

7. Accordingly, the application is rejected.

Sd/-

(Parth Prateem Sahu)
Judge

Praveen