CGHC010348592026 2026:CGHC:44896

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8364 of 2026

1 - Tilak Sahu @ Bunty S/o Bisahu Ram Sahu Aged About 19 Years R/o Ward No. 3, Village Bhendri, P.S. Fingeshwar, District Gariabandh Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Police Station Rajim, District Gariabandh Chhattisgarh

... Non-applicant

For Applicant	:	Mr. Pragalbha Sharma, Advocate
For Non-applicant /State	:	Ms. Laxmeen Kashyap, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16/10/2026

1. The applicant has preferred this First Bail Application under Section 483 of the BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 141/2026, registered at

Police Station Rajim, District – Gariyabandh (C.G.) for offence punishable under Sections 74, 64(2)(m) and 115(2) of BNS and Sections 6 and 8 of POCSO Act.

2. As per the case of the prosecution, the applicant herein abducted and sexually assaulted the victim which led to registration of FIR for the aforesaid offences and the applicant was subsequently, arrested.

3. Mr. Pragalbha Sharma, learned counsel for the applicant, would argue that the victim is innocent and he has falsely been implicated in this case. He would further contend that on date of the incident, the age of the victim was 17 years and 11 months and victim has already been examined before the trial Court on 06/08/2026 and she has disclosed her age as 19 years and she has denied the allegation of sexual assault levelled on the applicant. He would further contend that in her deposition, the victim has clearly stated that she and the applicant maintained physical relations after entering into marriage on 10/10/2025 and till then, the victim had already attained the age of majority. He would further submit that the investigation has been completed and charge-sheet has already been filed and the applicant is in jail since 20/05/2026, thus, the appellant be released on bail as conclusion of trial is likely to take some time.

4. On the other hand, Mr. Laxmeen Kashyap, learned counsel appearing for the non-applicant/State, would oppose the bail

application and submit that at the time of the incident, the age of the victim was below 18 years and therefore, the contention of consent of the victim would be irrelevant as she was a minor. He would lastly submit that serious allegations have been levelled against the applicant with regard to sexual assault of the minor victim, therefore, he is not liable to be released on bail.

5. The victim appeared before this Court through video conferencing from the concerned District Legal Services Authority (DLSA) and has given her consent for grant of bail to the applicant.

6. I have heard learned counsel appearing for the parties and perused the case diary as well as the material available on record.

7. Taking into consideration the facts and circumstances of the case, particularly that the investigation is complete and charge-sheet has already been submitted; the applicant is in custody since 20/05/2026; the victim has given her consent for grant of bail to the applicant, and the victim has already been examined before the trial Court and she has denied the allegation of sexual assault levelled against the applicant, without expressing any opinion on the merits of the case, is of the considered view that a fit case for grant of regular bail is made out. Accordingly, the bail application filed by the applicant is **allowed**.

8. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on

bail, on 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, and

(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.

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

Sd/-

(Rakesh Mohan Pandey)
JUDGE

Harneet