CGHC010350432026 2026:CGHC:44803

NAFR

NIRMALA RAO

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 8391 of 2026

1 - Mo. Munsad S/o Abdul Gaffar Aged About 22 Years R/o Chhapra Mohalla, Near Hand Pump, Vrinda Nagar, P.S. Vaishali Nagar, Durg District Durg Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through S.H.O., P.S. Vaishali Nagar, District Durg (C.G.)

... Respondent(s)

For Applicant	:	Shri Subhanshu Kumar Singh, Advocate.
For Respondent/ State	:	Shri Akash Agrawal, P.L.

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

16.10.2026

1. The victim appeared alongwith her mother through video-conferencing and raised serious objections to grant of bail to the applicant.

2. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail to the applicant in connection with Crime No.4/2026 registered at Police Station Vaishali Nagar, District Durg (C.G.) for the offence under

Sections 74(2) and 75(1)(i) of BNS and Section 8 of POCSO Act.

3. According to the prosecution, on 1.1.2026, at around 5:30 p.m., the applicant took the victim, a four-year-old girl, to a nearby vacant house in Chappra Mohalla, Bhilai, laid her on a bed, and removed his clothes while telling her that he would give her a chocolate. He allegedly committed an obscene act, used force against her, made her sit on his lap, and touched her body without penetration. On the basis of the report lodged by the victim's mother, the applicant was arrested in connection with the aforementioned crime.

4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further contend that the applicant has been in jail since 3.1.2026, has no criminal antecedents, and that the trial is likely to take some time to conclude. He would, therefore, pray for grant of bail to the applicant.

5. On the other hand, learned counsel for the State would oppose the bail application and submit that the victim was only four years old when the applicant allegedly committed an obscene act, used force against her, made her sit on his lap, and touched her body without penetration. He would, therefore, submit that the instant application deserves to be rejected.

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

7. Having considered the allegations made against the present applicant and the age of the victim, who was only four years old at the time of the incident, I am not inclined to allow the bail application.

8. Accordingly, the bail application of the applicant filed under Section 483 of BNSS, 2023 is **rejected**.

Sd/-

(Rakesh Mohan Pandey)
Judge

Nimmi