



2026:CGHC:10508

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 1542 of 2026**

1 - Surajbhan @ Sonu Bhaina S/o Kupchand Aged About 21 Years R/o Village Devargaon, Gadiyatola, Ward No. 10, Police Station Gourela, Tahsil Pendraroad, District : Gaurela-Pendra-Marwahi, Chhattisgarh.

... Applicant**versus**

1 - State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Gourela, District : Gaurela-Pendra-Marwahi, Chhattisgarh.

... Respondent

For Applicant	: Mr. Nasimuddin Ansari, Adv. and Mr. Khemchand Prajapati, Advocate.
For State	: Ms. Priya Sharma, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order on Board****28/02/2026**

1. This is the **first bail** application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 419/2024 registered at Police Station – Gourela, District Gourela-Pendra-Marwahi (C.G.), for the offence punishable under Sections 137(2), 87, 64(2) of BNS and Section 6 of POCSO Act.

2. As per the prosecution's case, the father of the victim made

a complaint to the concerned police station stating that, on 07.12.2024, the victim gone somewhere without informing any family members. On the basis of said report, a crime for offence under Section 137(2) of BNS was registered. During the course of investigation, the police recovered the victim from the possession of the applicant and on the basis of the statement of the victim, the offences as mentioned above have been registered and charge sheet was filed against the applicant.

- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that there are a total of 14 listed witnesses in this case, out of which 7 witnesses, including the victim and her mother, have been examined. As per the statement of the victim, she was the consenting party and is a major. The applicant is in jail since 23.06.2025, and the trial is likely to take considerable time to conclude. Therefore, he prays for the grant of regular bail to the applicant.
- 4.** On the other hand, learned counsel for the State opposed the bail application and submits that the victim was minor at the time of incident and she was recovered from the possession of the applicant; therefore, he may not be enlarged on bail.
- 5.** No one appeared on behalf of the victim, though notice has been served.
- 6.** I have heard learned counsel appearing for the parties and perused the case diary.
- 7.** Considering the facts and circumstances of the case and looking to the statements of the victim and her mother and also considering the fact that the applicant is in custody since 23.06.2025, and the trial is likely to take considerable time, therefore, at this stage, without commenting on

merits of the case, I am inclined to release the applicant on bail.

8. Accordingly, the application is **allowed** and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. The applicant is directed to appear before the trial Court on each and every date to be given to him by the said Court till disposal of the trial. It is made clear that any observation made by this Court in this order shall not affect the trial of the case.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Sanjay Kumar Jaiswal)
Judge

H.L. Sahu