



2026:CGHC:9587



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1370 of 2026

Nand Kumar Sahu S/o Ram Dayal Sahu Aged About 32 Years R/o Village Kanpa, Police Station Tumgaon, District Mahasamund (C.G.), Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Police Station Fingeshwar, District Gariyaband, Chhattisgarh

... Respondent

For Applicant	:	Mr. Mohammad Afroz Athar, Advocate
For Respondent	:	Mr. Aman Tamrakar, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

24.02.2026

1. The victim along with her mother appeared before this Court today through virtual mode from the concerned DLSA and expressed their no-objection in granting bail to the applicant.
2. This is the first bail application filed u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.401/2023



registered at Police Station Fingeshwar, District Gariyaband (C.G.) for offence punishable under Sections 363, 366, 376(2)(n) of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act.

3. As per the prosecution case, the applicant, knowing well that the victim was a minor, kidnapped her from the lawful guardianship of her parents and committed sexual intercourse with her several times at different places under the pretext of marriage. On report being lodged in this regard, the applicant was arrested on 07.11.2025.
4. Learned counsel for applicant submits that the applicant is innocent and he has been falsely implicated in this case. The victim has been examined before the trial Court and she has not supported the case of prosecution and turned hostile. The victim and her mother have expressed their no-objection in granting bail to the applicant. He submits that it is a case of lover affair where the victim went with the applicant of her own free will. The applicant and the victim got married, they lived together as husband and wife and they also have a child. He further submits that out of total 25 witness, only the victim has been examined, the applicant is in jail since 07.11.2025 and there is no likelihood of the trial to be concluded at the earliest. Hence, considering all these facts, the applicant may be released on bail.
5. Learned State counsel, on the other hand, opposing the bail application submits that the victim was minor at the time of



incident, she has supported the case of prosecution and considering the nature of offence, the applicant does not deserve to be released on bail.

6. Heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the entire facts and circumstances of the case, particularly the nature and gravity of offence and the material collected and available on record against the applicant and also considering the fact that important witnesses are yet to be examined regarding age of the victim, this Court is not inclined to release the applicant on bail at this stage.
8. Accordingly, the present bail application stands **rejected**.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE