



HIGH COURT OF CHHATTISGARH AT BILASPUR
MCRC No. 2019 of 2026
Tikesh **Versus** State of Chhattisgarh
Order Sheet

04/05/2026	<p>Heard Mr. Aditya Chopra, learned counsel appearing for the applicant. Also heard Mr. Shailendra Sharma, learned Panel Lawyer, appearing for the non-applicant/State.</p> <p>Learned counsel for the applicant submits that on 15.04.2026, when the matter was taken up, the learned State counsel pointed out that Section 15 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) had also been added after the filing of the charge-sheet against the applicant, along with other offences.</p> <p>It is further stated that this Court had directed the applicant to move an application before the trial Court for the said offence and to file a certified copy of the bail rejection order, if the same is rejected. It is submitted that since the present matter is pending before this Court, the trial Court is not entertaining the bail application filed by the applicant under Section 15 of the POCSO Act. Hence, it is prayed that the said fact be clarified by this Court.</p>
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From the perusal of the mention slip dated 28.04.2026, it transpires that not only Section 15 of the POCSO Act, but also an offence under Section 67(B)(b) of the Information Technology Act has been added after the filing of the charge-sheet against the applicant.

In view of the above, as the present bail application is against the earlier bail rejection order for offences under Sections 67 and 67(A) of the Information Technology Act, 2000, and since the charge-sheet has now been filed against the applicant for the offence under Section 15 of the POCSO Act and 67(B)(b) of the IT Act, the trial Court is at liberty to entertain the bail application for the said offence and pass orders in accordance with law. The pendency of the present bail application for offences under Sections 67 and 67(A) of the Information Technology Act, 2000 shall not preclude the trial Court from doing so.

Let the matter be listed again after the summer vacations of 2026.

**Sd/-
(Ramesh Sinha)
Chief Justice**