



2026:CGHC:18458



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**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 436 of 2026**

- Aakash Tirkey S/o Deepak Tirkey Aged About 21 Years R/o Gadkkiya, Bagicha, District - Jashpur, Chhattisgarh.

**... Applicant(s)****versus**

- State of Chhattisgarh Through Station House Officer, Police Of Police Station - Bagicha, District - Jashpur, Chhattisgarh.

**... Respondent(s)****(Cause title is taken from Case Information System)**


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For Applicant(s) : Mr. D.D.Yadav. Advocate

For Respondent(s) : Mr. Sourabh Sahu, Panel Lawyer

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**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order on Board****22/04/2026**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.249/2026 registered at Police Station – Bagicha, District-Jashpur (C.G.) for the offences punishable under Sections 126, 296, 351(2), 115(2), 74 of BNS, 2023 and Section 8 of POCSO Act.
2. The prosecution story in short is that, the father of the complainant made written complaint before the respondent police station as stated that the present applicant assaulted her 16 year old daughter by slapping her and by using filthy languages and hold the hand of



the victim and proposed her for marriage and ask her to come with applicant and on the basis of the written complaint FIR has been registered against the present applicant under section 126, 296, 351(2), 115(2), 74 BNS and section 8 POCSO Act.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the present case. He would submit that victim has no objection for the grant of anticipatory bail to the applicant and FIR has also lodged after seven days of the incident, investigation and trial are likely to take time, therefore, he submits that the present applicant is entitled to be released on anticipatory bail.
4. On the other hand, learned State counsel opposes the prayer for grant of anticipatory bail and submits that notice was issued to the complainant on 24.03.2026 and was duly served on 26.03.2026. However, neither the complainant nor any counsel appeared on their behalf to oppose the present bail application. He further submits that the statement of the victim recorded under Section 183 of the BNS reveals that the victim, a minor girl aged about 16 years, had gone to her friend's house, where the applicant allegedly slapped her twice, used filthy language, held her hand, and proposed to her. It is further submitted that the applicant also sent certain messages to the victim's phone and, the MLC report indicates that the victim sustained minor injuries on her neck, and her medical examination was conducted on 18.10.2025. It is also contended that the "no objection" given by the complainant suggests that the applicant attempted to influence the victim and her family members.
5. I have heard learned counsel for the parties and perused the case diary.



6. Considering the facts and circumstances of the present case, the gravity of the offence alleged, the statement of the victim recorded under Section 183 of the BNS, and the MLC report which indicates that the victim sustained injuries on her neck, this Court finds that the allegations against the present applicant are serious in nature. The accusations pertain to the molestation of a minor girl and reflect conduct that cannot be viewed lightly. In view of the nature of allegations, the material available on record, and the overall conduct attributed to the applicant, this Court is not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application of the applicant- **Aakash Tirkey**, filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 involved in Crime No.249/2026 registered at Police Station – Bagicha, District-Jashpur (C.G.) for the offences punishable under Sections 126, 296, 351(2), 115(2), 74 of BNS, 2023 and Section 8 of POCSO Act, is **rejected**.

Sd/-

**(Ramesh Sinha)**  
**Chief Justice**

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