



2026:CGHC:12706

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2093 of 2026

Chandrakant Nishad S/o Hemlal Nishad Aged About 25 Years R/o
Barbhata, P.S. Fingeswar, District Gariyaband Chhattisgarh ... **Applicant**

versus

State of Chhattisgarh through P.S. Fingeswar, Gariyaband Chhattisgarh
... **Respondent**

For the applicant	:	Mr. Lukesh Kumar Mishra, Advocate
For the State	:	Ms. Laxmeen Kashyap, Panel Lawyer

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)

Order on Board

17.03.2026

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No. 238/2025 registered at Police Station Fingeswar, District Gariyaband (CG) for the offences under Sections 69, 87, 115(2), 35(3) of BNS and Sections 4 & 6 of the POCSO Act.

2. As per the prosecution case, on 04.08.2025 the victim aged about 21 years lodged a complaint before the concerned Police Station alleging that she was acquainted with the applicant prior to five years of lodging the complaint. The applicant on the pretext of marriage had committed sexual intercourse with her and on 28.08.2025 the applicant married with another

lady. On such report, the offence was registered, her statement was recorded u/s 183 of BNSS and the applicant was arrested.

3. Learned counsel for the applicant submits that the prosecutrix is major and the applicant has been falsely implicated in this case. It is clear from the medical report no injuries of any sort were found on the body of prosecutrix and even as per the charge sheet, the report has been lodged with an abnormal delay of more than 5 years by projecting a concocted case that she was subjected to sexual intercourse since she was minor; and even as per the prosecutrix, the relationship between them was consensual in nature and the instant case is the result of bitter relationship. He submits that the applicant is in jail since 05.08.2025; till date out of total 12 witnesses, only 2 have been examined and there is no immediate possibility of disposal of case, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. He submits that the court statement of victim shows that on the pretext of marriage, the applicant established physical relations with the victim and contrary to his assurance, he married with another lady.

5. The victim has appeared through VC from the concerned DLSA and expressed objection to grant bail.

6. Having considered the submissions made by learned counsel for the parties; over-all facts situation of the case and further looking to the court statement of the victim, I am not inclined to release the applicant on regular bail. Accordingly, the bail application is **rejected**.

**Sd/-
(Sanjay Kumar Jaiswal)
Judge**

Rao