



2026:CGHC:21506
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3659 of 2026

1. Punam Singh Thakur S/o- Laxminarayan Singh Thakur Aged About 24 Years R/o- Piparhatta, Thana- Mandir Hasaud, District- Raipur (C.G.)

... Applicant (In Jail)

versus

1. State of Chhattisgarh Through The Police Station Mandir Hasaud, District- Raipur (C.G.)

... Respondent

For Applicant : Mr. Deepak Jain, Advocate
For Respondent : Mr. Atanu Ghosh, Government Advocate

SB: Hon'ble Mr. Justice Parth Prateem Sahu

Order on Board

07.05.2026

1. This is first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (henceforth 'the BNSS') for grant of regular bail to applicant, who is in custody in connection with Crime No.524/2023 registered at Police Station Mandir Hasaud, District Raipur (CG) for the offence punishable under Sections 341, 294, 506, 323, 354, 354(a), 354(b), 354(d), 363, 365, 394, 395, 397, 376(d) (a), 342, 201, 326 of the Indian Penal Code; Section 4, 6 of the Protection of



Children from Sexual Offences Act, 2012 and Section 25, 27 of the Arms Act.

2. Case of the prosecution, in brief, is that the complaint lodged written report in concerned police station mentioning that on 31.8.2023 while she along with her fiance Manish and minor sister was going to Aamaseoni from village Chhatona, on the way at about 8:30 p.m., 7-8 boys followed them, forcibly stopped them at lonely place; one of co-accused persons put knife on the neck of her fiance Manish and threatened for life; co-accused Sonu took her near a tree, threatened her and forcibly committed sexual intercourse with her. Thereafter, another boy came and committed sexual intercourse with her. Accused Sonu forcibly took her younger sister also with him and after his coming back, the boys one after another went there. After half-an hour, her sister came crying and then Manish was released, accused persons gave key of their scooty and threatened them not to disclose the incident to anyone else they will get them murdered. Accused persons were 8-10 in numbers and they were armed with deadly weapons like knife. While they were going home, her sister disclosed that about 8-10 boys have committed rape with her and she complained of pain in her stomach. On account of assault by accused persons, Manish suffered injuries on his cheeks and face. Manish told her registration number to two



motorcycles. Based on said report, aforementioned crime was registered against applicant and other accused persons. Applicant was arrested on 1.9.2023.

3. Learned counsel for applicant would submit that applicant has been implicated absolutely in a false case. Allegation of victims that they were subjected to forcible sexual intercourse by about 8-10 boys, however, during the course of trial PW-14 doctor, who medically examined the victims, has stated in her statement before trial Court that she did not notice any sign of recent sexual intercourse or injury of mark on the victims; if the victims were subjected to sexual intercourse by 8-10 boys, there must be some sign of injury on their person, but she has not noticed any injury over their private part. Hence, the allegations levelled by victims are *prima facie* false. He further submits that there are as many as 52 enlisted prosecution witnesses, only 24 prosecution witnesses are examined till date, hence, conclusion of the trial may take some time. Co-accused namely Krishnakant Sahu, Nayan Sahu and Devcharan Dhivar, have already been released on bail vide order dated 13.1.2025 & 17.2.2026 in MCrC Nos.8952/2024 & 975/2026 and the allegation against present applicant is similar with aforementioned co-accused. Applicant is in jail since 01.09.2023, hence, he be released on bail.



4. Learned State Counsel opposes the submissions of learned counsel for applicant and submits that there is specific allegation that applicant and other co-accused persons had forcibly committed sexual intercourse with victims. In the call details collected by the prosecution, there is mention that just before the incident co-accused Yugal Kishore made call to present applicant four times. There are nine criminal antecedents against the applicant.
5. At this stage, learned counsel for applicant would submit that out of 09 criminal cases registered against him, he has been acquitted in 07 cases and trial of only two criminal cases for commission of offence under Sections 452, 294, 32 of IPC and Section 25, 27 of the Arms Act is pending consideration.
6. Victim along with her husband appeared virtually before this Court through DLSA Raipur and submits that she is having objection in grant of bail to applicant.
7. I have heard learned counsel for the parties.
8. Considering the facts and circumstances of case, nature of allegations, submission of learned counsel respective parties, period of pre-trial detention and further considering that material prosecution witnesses have already been examined including victims before the trial Court, without commenting anything on merits of case, I am inclined to enlarge applicant on regular bail.



9. Accordingly, bail application of applicant is allowed and it is directed that 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 trial Court concerned on the conditions that;
- a) he shall appear before trial Court concerned regularly on each & every date unless exempted from appearance.
 - b) he shall not, in any manner, tamper with prosecution witnesses.
 - c) If he is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-