



2026:CGHC:20765

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRCA No. 545 of 2026**

Sahil Patle S/o Gharchand Patel Aged About 18 Years R/o Village-Khokhali, Police Station - Bhatapara (Rural), District- Balodabazar-Bhatapara, Chhattisgarh.

... Applicant**versus**

State Of Chhattisgarh Through Police Station - Bhatapara (Rural), District- Balodabazar-Bhatapara, Chhattisgarh.

... Non-applicant

For Applicant : Mr. Ravi Kumar Bhagat, Advocate

For State/ Non-applicant : Ms. Ritika Verma, P.L.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order On Board****04.05.2026**

1. The applicant has preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail, apprehending his arrest in connection with Crime No. 151/2026, registered at Police Station - Bhatapara (Rural), District - Balodabazar- Bhatapara, Chhattisgarh, for alleged commission of offence punishable

under Sections 87 and 65(1) BNS and Section 4 and 6 of POCSO Act.

2. That, the prosecution story in brief is that the applicant, who is the cousin brother of the prosecutrix, is alleged to have committed sexual intercourse with her on 21.03.2026. That, when the prosecutrix raised alarm, the incident was intervened and thereafter she lodged a written report before the police. That, on the basis of the said report, the police registered Crime No. 151/2026 against the applicant for offences under Sections 87 and 65(1) of the BNS and Sections 4 and 6 of the POCSO Act. That, as the FIR is of a sensitive nature, the same is not available on the police website, and accordingly, the present anticipatory bail application has been filed by the applicant.
3. Learned counsel for the applicant submits that applicant is an innocent and falsely implicated in the present case, it is submitted that the applicant is a young student who has recently attained the age of 18 years, having date of birth 06/01/2008 as per Class X marksheet, and is presently studying in Class XI at Saraswati Shiksha Sansthan, Raipur, where his annual examinations are ongoing from 28/03/2026 to 11/04/2026. That, the applicant is innocent and has been falsely

implicated in the present case due to ongoing family property dispute between the parties. That, the applicant's grandfather had executed a registered Will dated 20/08/2007 in favour of the applicant and his father, which has led to dispute among other family members and consequent false implication. That, the alleged incident is a result of a family visit and subsequent quarrel over property matters, and the applicant has been falsely roped in the present offence. That, the applicant undertakes to cooperate in the investigation and is ready to abide by any condition imposed by this Hon'ble Court for grant of anticipatory bail.

4. On the other hand, learned State counsel opposes the submissions made by learned counsel for the applicant and submits that there is sufficient *prima facie* material available on record and a serious and heinous nature involving offence under the POCSO Act, and cannot be brushed aside merely on the basis of age or educational status. That, the contention regarding false implication on account of property dispute is denied as the investigation *prima facie* reveals commission of offence against the prosecutrix. It is further submitted that the plea of family dispute is an afterthought and does not dislodge

the gravity of allegations supported by the statement of the prosecutrix and other material collected during investigation.

That, in view of the seriousness of allegations, the applicant is not entitled to the benefit of anticipatory bail.

5. I have heard learned counsel for the parties and perused the impugned order passed by the trial Court.
6. Considering the submissions made by learned counsel for both parties and upon perusal of the case diary, it is evident that the prosecutrix has made serious allegations of forcible sexual intercourse against the applicant, which are duly supported by her statement recorded under Section 183 BNSS. It is also noted that the **charge-sheet** has not yet been filed and the applicant has no previous criminal antecedents. The offence alleged is of a grave and heinous nature under the POCSO Act. Accordingly, this Court is not inclined to grant anticipatory bail and the application is hereby **rejected**.
7. Accordingly, the Anticipatory Bail application of the applicant – **Sahil Patel**, filed under Section 438 of Cr.P.C. involved in Crime No. 151/2026, registered at Police Station – Bhatapara (Rural), District – Balodabazar- Bhatapara, Chhattisgarh, for alleged

commission of offence punishable under Sections 87 and 65(1) BNS and Section 4 and 6 of POCSO Act, is **rejected**.

8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

**(Ramesh Sinha)
Chief Justice**

Arpan