



2026:CGHC:19449



2026:CGHC:19449

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 3439 of 2026

Visheshar @ Golu Agariya S/o Semlal Agariya Aged About 21 Years R/o Baghel, Police Station-Kotadol, Distt. Manendragarh Chirmiri-Bharatpur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through Police Station Kelhari, District- Manendragarh Chirmiri-Bharatpur (C.G.)

... Respondent

For Applicant : Shri Shivam Agrawal, Advocate.

For Respondent/State : Shri Rishabh Bisen, P.L.

(HON'BLE SHRI JUSTICE RADHAKISHAN AGRAWAL)

Order on Board

27/04/2026

1. This is the **first bail** application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 58/2025 registered at Police Station – Kelhari, Dist. Manendragarh Chirmiri-Bharatpur (C.G.), for the offence punishable under Sections 137(2), 64, 87 of BNS (corresponding to Sections 363, 376, 366 of IPC) and Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, the POCSO Act).
2. As per the prosecution's case, the applicant took the prosecutrix and established physical relationship with her. Based on this, offence under



the above sections has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. He further submits that the victim has been examined as P.W.2, in which, she clearly admits that the accused has not asked for establishing relationship with her and has not committed any wrong with her. Mother of the victim has also been examined as P.W.1 and has not supported the prosecution case. He further submits that in the M.L.C. report, there is no injury, either external or internal, has been found. Therefore, he prays for the grant of regular bail to the applicant.
4. On the other hand, learned counsel for the State opposed the bail application.
5. The victim and her father appeared through V.C. from the concerned DLSA and has raised objection to grant of bail to the applicant.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Considering the facts and circumstances of the case and further looking to the statement of the victim, and considering the fact that the applicant is in custody since 27.10.2025 and the trial is likely to take considerable time, therefore, this Court finds that this is a fit case, in which, the applicant should be granted bail.
8. Accordingly, the application is **allowed** and it is directed that the 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 the trial Court. The applicant is directed to appear before the trial Court on each and every date to be given to him by the said



Court till disposal of the trial. It is made clear that any observation made by this Court in this order shall not affect the trial of the case.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Radhakishan Agrawal)

JUDGE

Anjani