



2026:CGHC:39452



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 7004 of 2026

Gopal Sonjhari @ Chhotu S/o Iswar Prasad Sonjhari Aged About 29 Years R/o Village- Padariya, Police Station- Akaltara, District : Janjgir-Champa, Chhattisgarh

... Applicant (s)

versus

State Of Chhattisgarh Through- The Station House Officer, Police Station- Akaltara, District : Janjgir-Champa, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Mr. Paras Mani Shriwas, Advocate
For Respondent(s)	:	Ms. Subha Shrivastava, PL

Hon'ble Shri Justice Narendra Kumar Vyas

Order on Board.

09.09.2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested on 13.10.2025 in connection with Crime No. 06 of 2023 registered at Police Station- Akaltara, District Janjgir Champa (CG) for the offence punishable under Sections 363,366,376(2) (n) of IPC and Sections 4 and 7 of Protection of Children from Sexual Offences Act, 2012.
2. Case of prosecution in brief, is that, on 02.01.2023 mother of the victim lodged missing report in Police Station Akaltara against unknown



person alleging that on 01.01..2023 at about 10 AM, her minor daughter after taking dinner went to sleep with her sister and when she woke up at about 11 AM, then she saw that her minor daughter is missing thereafter she informed the incident to her family members and despite search was made but she was not traced out. On the basis of complaint, FIR was lodged against unknown person.

3. Learned counsel for the applicant would submit that the applicant is innocent and he has been falsely implicated in the case. He would further submit that after attaining the age of majority the victim performed marriage with the accused and with their relationship one male child was born. He would further submit that the victim and her mother have not supported the case of the prosecution and turned hostile. He would further submit that the applicant is in jail since 13.10.2025, trial may take some time for its final conclusion and would pray for grant of regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and would submit that the applicant is directly involved in the commission of offence. He would further submit that the victim was minor on the date of incident, therefore, he is not entitled for grant of bail.
5. In pursuance of notice issued by this Court on 06.08.2026, victim along with her mother have appeared before this Court through concerned DLSA and raised no objection in releasing the application on bail. Her objection is taken on record.
6. I have heard learned counsel appearing for the parties and perused the record.



7. Considering the fact that the victim and her mother have turned hostile and have not supported the case of the prosecution and the statement of PW-5, who has written the Dakhil Kharij register and the fact that the applicant is in jail since 13.10.2025 and the fact that the trial may take some time for its conclusion, without commenting anything on the merits of the case, this Court is of the view that it is a fit case to release the applicant on regular bail.
8. Accordingly, the bail application is allowed. The applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court.
9. Certified copy, as per rules.

Sd/-
(Narendra Kumar Vyas)
Judge

Santosh



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10.

{{JUDGE_NAME}}

JUDGE

PSName