



2026:CGHC:4279

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10142 of 2025

Rahul Sahu S/o Shri Benudhar Sahu Aged About 19 Years R/o Village - Jatiyapali, Thana - Sariya, District - Sarangarh-Bilaigarh (C.G.) (Father's Name Is Correctly Mentioned)

... Applicant(s)

versus

State Of Chhattisgarh Through Station House Officer, Police Station - Sariya, District - Sarangarh-Bilaigarh (C.G.)

... Respondent

(Cause title is taken from the CIS)

For Applicant	: Shri Sunil Sahu, Advocate
For Respondent/State	: Shri Anish Tiwari, Dy GA

Hon'ble Shri Justice Ravindra Kumar Agrawal

Order on Board

23.01.2026

1. Pursuant to order dated 12.01.2026 victim along with her father appeared through virtual mode from the concerned DLSA, and raised objection in granting bail to the applicant. Their objection has been taken on record.
2. Heard on the application filed under Section 483 of the Bharatiya Nagrik Suraksha Sanhita (BNSS, 2023). This is the first bail application before this Court filed by the applicant for grant of regular bail.
3. Applicant was arrested on 03.11.2025 in connection with Crime No.236 of 2025 registered at PS- Sariya, District- Sarangarh-Bilaigarh, CG, for the

offence punishable under Sections 137(2), 64(1), 87 of the BNS 2023 and Section 4 and 6 of the POCSO Act, 2012.

4. Case of the prosecution in brief is that on 13.10.2025, uncle of the victim has lodged a missing report that his niece is missing since 11.10.2025 and her whereabouts could not be traced out. Police has registered the offence under Section 137(2) of the BNS, 2023, and started investigation. During investigation, on 13.10.2025 itself, victim came back to her house, and she has been produced before the Police, and after recording her statement, offences of Sections 87, 64(1) of the BNS and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 have been recorded. Applicant was arrested on 03.11.2025, and charge-sheet has been filed.

5. Learned counsel for the applicant would submit that victim is a major girl, having love affair with the applicant, and she on her own will eloped with him without raising any objection. Even while making physical relation with the applicant, she has not raised any alarm, not protested, or complained to anyone. She was consenting party in making physical relationship with the applicant, and it is only under pressure of her parents, she made allegations against the applicant. Applicant is in jail since 03.11.2025, and final adjudication of the case will take its own time, therefore, applicant may be enlarged on bail.

6. On the other hand, learned State counsel opposes the submissions made by learned counsel for the applicant.

7. Considering the submissions made by learned counsel for the parties, also considering nature of allegation against the applicant, as well as material

collected during the investigation, further, considering the fact that victim was a consenting party, and raised no objection against the applicant while she was going with him, further that applicant is in jail since 03.11.2025, and final adjudication of this case would take some more time, without commenting anything on merits of the case, I am inclined to release the applicant on bail.

8. Accordingly, the bail application filed by the applicant- **Rahul Sahu, s/o Shri Benudhar Sahu is allowed**, and he shall be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety of like sum to the satisfaction of the concerned trial Court. Applicant shall also abide by the following conditions:

- i. that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to any Police Officer;
- ii. that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
- iii. that the applicant shall appear before the trial Court on each and every date given to him by the concerned trial Court till disposal of the trial unless exempted.

Certified copy as per rules.

Sd/-

(Ravindra Kumar Agrawal)
JUDGE