



2026:CGHC:8296

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRC No. 33 of 2026**

Niranjan Sharma S/o - Parmeshwar Mistri Aged About 22 Years R/o -
Kotraroad, Sonianagar, Raigarh Tehsil And District - Raigarh (C.G.) ...
Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station - Mahila
Thana Raigarh, District - Raigarh (C.G.) ... **Respondent**

For the applicant : Mr. Sanjay Agrawal, Advocate

For the State : Miss Sunita Manikpuri, Govt. Advocate

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)**Order on Board****16.02.2026**

1. This is first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant in Crime No. 36 of 2025 registered at Police Station Mahila Thana, District Raigarh (CG) for the offences u/s 64(2)(m) and 115(2) and 351(2) of BNS, 2023 and Section 6 of the POCSO Act.

2. The prosecution story, in brief, is that the victim and the applicant came to be acquitted with each other since 2023. There is a forest a little distance away from where she was living and on 06.06.2023, the applicant took her there and established physical relations with her. When the accused established physical relations with her for the first time, she was 16 years old. Thereafter whenever

the accused comes to her, he used to commit sexual intercourse by taking her to the same place. In this manner, the accused was having physical relations with her from 2023 to 2025 and when she insisted to marry her, he refused her on the ground of different caste.

3. Learned counsel for the applicant submits victim has lodged the FIR in the year 2025 and when she became major, she alleged in the FIR that while she was being minor the applicant established sexual relations with her. The victim is consenting party and did not disclose the incident to anyone nor filed any report for the last two years regarding sexual assaults and the delay in filing the FIR has also not been explained by her. The applicant was also juvenile at the time of incident, therefore, no offence is made out against him. He next submits that the medical report also does not support the prosecution case as there was no sign of injury. He submits that the applicant is in jail since 03.12.2025 and looking to the over all facts and circumstances, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the victim in her court statement has supported the case of prosecution.

5. On earlier date of hearing on 09.02.2026, the victim has appeared through VC from the concerned DLSA and raised objection to granting bail.

6. Having considered the submissions made by learned counsel for the parties and the over all facts situation of the case and further looking to the court statement of the applicant, I am not inclined to release him on regular bail at this stage. Accordingly, the bail application is **rejected**.

**Sd/-
(Sanjay Kumar Jaiswal)
Judge**

