



2026:CGHC:20704

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 511 of 2026**

Manak Lal Komra S/o Bajaruram, Aged About 43 Years R/o Village Sukhai,
Thana Durgkondal, District North Baster Kanker C.G.

... **Applicant****versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Durgkondal, District – North Baster Kanker, C.G.

... **Non-applicant**

For Applicant : Mr. Shreyansh Pathak, Advocate.

For Non-applicant/State : Mr. Priyank Rathi, Govt. Advocate.

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

1. The applicant has preferred this First Bail Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 45/2025, registered at Police Station Durgkondal, District – North Baster Kanker (C.G.) for the offence punishable under Section 331(4), 74, 75(2) and 351(3) of the BNS.
2. The prosecution story, in brief, is that on 01.12.2025 at about 06:30 PM, the victim alleged that the accused Manak Lal Komra entered her house situated within the jurisdiction of Police Station Durgkondal, District Uttar Bastar Kanker, when no other family members were present. It is alleged that the accused closed the door from inside, removed the blanket covering the victim, and caught hold of her with the intention of establishing physical relations, thereby using criminal force. It is further alleged that upon resistance by the victim and her



raising alarm, the accused assaulted her and threatened her, after which he fled from the spot. Hence, this application.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It is submitted that though the victim has reported against the applicant in her statement under Section 183 of BNSS, for outraging her modesty, but there is not medical evidence to support the same and the charge-sheet has been filed in this case. The applicant is in jail since 03.12.2025 and the conclusion of the trial is likely to take quite long time. Therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, learned State counsel opposes the bail application and submits that the charge-sheet has been filed in the present case. It is further submitted that the applicant is said to have tried to outrage the modesty of the victim. Therefore, the applicant is not entitled for grant of regular bail.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicant and period of detention in jail, further the fact that the victim has reported against the applicant in her statement under Section 183 of BNSS, for outraging her modesty, but there is not medical evidence to support the same and the charge-sheet has been filed in this case, the applicant is in jail since 03.12.2025 and the conclusion of the trial is likely to take quite long time, hence, this Court is of the view that the applicant is entitled to be released on bail in this case.



7. Let applicant - **Manak Lal Komra** involved in Crime No. 45/2025, registered at Police Station – Durgkondal, District – North Baster Kanker (C.G.) for the offence punishable under Section 331(4), 74, 75(2) and 351(3) of the BNS, be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. 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