



2026:CGHC:20262

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 561 of 2026**

- Bhuneshwar Rathore Alias Rinku S/o Santosh Rathore Aged About 27 Years R/o Village- Kosmanda, Ward No. 17, P.S. Champa, District- Janjgir Champa (C.G.) (Wrongly Mention In Order Sheet Bhuneshwar Rathour Alias Rinku Santosh Rathor)

**... Applicant(s)****versus**

- State of Chhattisgarh Through - Station House Officer, Police Station- Champa, District- Janjgir Champa (C.G.)

**... Respondent(s)****(Cause title is taken from Case Information System)**


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 For Applicant(s) : Mr. Abhinav Tiwari, Advocate

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 For Respondent(s) : Ms. Ritika Verma, Panel Lawyer
 

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**Hon'ble Mr. Ramesh Sinha, Chief Justice****Order on Board****30/04/2026**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No.56/2026 registered at Police Station – Champa, District- Janjgir- Chamapa (C.G.) for the offences punishable under Sections – 74, 115(2), 3(5) of BNS. And 12 of the POCSO Act.
2. The case of prosecution is that, the applicant arrived on a motorcycle with co-accused. Near the Royal Beauty Parlor, the applicant grabbed the victim by the hand and forcibly seated her between them on the

motorcycle, which the applicant was driving. They then took her against her will to the four-lane road, where the applicant asked her, "you will marry me, you must not marry any other boy." When the victim refused, the applicant began physically assaulting her with his hands and fists, causing injuries to her face and neck. As the victim attempted to flee the scene, the applicant grabbed her from behind, causing her to fall to the ground (on the road) and sustain injuries to the knees of both legs. Sometime later, the applicant and co-accused brought the victim back to the vicinity of the Royal Beauty Parlor, dropped her off, and departed, thereafter victim had made complaint on 10.02.2026 before the concerned police authorities against the Applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is contended that, as per the prosecution, the victim is stated to be about 17 years of age, and her date of birth has been recorded in the FIR as 2009. However, learned counsel submits that, as per the Aadhaar Card annexed with the bail application, the victim's date of birth is 26.06.2008, indicating that she is a major. The same date of birth is also reflected in the Class V certificate issued to the victim, a copy of which has been annexed as Annexure A/4. It is further submitted that the applicant and the victim were known to each other, but the victim's parents disapproved of their acquaintance, and the present FIR has been lodged under pressure. It is also argued that the investigation and trial are likely to take considerable time; therefore, the applicant deserves to be released on anticipatory bail.

4. Per contra, learned State counsel has opposed the prayer for grant of anticipatory bail and submits that, as per the statement of the victim recorded under Section 183 of BNSS, she has stated that the applicant physically assaulted her with his hands and fists, causing injuries to her face and neck. When the victim attempted to flee, the applicant allegedly caught hold of her from behind, causing her to fall on the road and sustain injuries to both knees. Thereafter, the applicant along with a co-accused allegedly brought the victim back near Royal Beauty Parlour, dropped her there, and left the place. It is further submitted that there is no MLC report on record to substantiate the injuries allegedly sustained by the victim.
5. In compliance with this Court's order dated 23.04.2026, a notice has been served upon the victim's father and today, he appeared through the DLSA, Janjgir-Champa (C.G.), and raised his objection in granting bail to the applicant.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, the gravity of the offence, and further taking into account the contradictions regarding the age of the victim, the absence of medical corroboration, and the fact that the victim and the applicant were known to each other, as well as the allegations of physical assault made in the statement recorded under Section 183 of BNSS, but no MLC report has been brought on record to substantiate the alleged injuries, and further considering that the investigation and trial are likely to take time, this Court is of the view that the applicant is entitled to be released on bail.

8. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Bhuneshwar Rathore Alias Rinku** on executing a personal bond and one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) he 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 fact to the Court.

(b) he shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(d) The applicant and the surety shall submit a copy of his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

(e) he shall not involve himself in any offence of similar nature in future.

Sd/-  
**(Ramesh Sinha)**  
**Chief Justice**

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