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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1384 of 2026**

Shivnath Singh Khairwar S/o Late Ramsai Khairwar Aged About 28 Years R/o Village - Garhgurhi Police Station - Trikunda, District - Balrampur - Ramanujganj, Chhattisgarh.

... Applicant**versus**

State Of Chhattisgarh Through, Police Chouki - Vijaynagar, Police Station - Ramanujganj, District - Balrampur-Ramanujganj, Chhattisgarh.

... Respondent

For Applicant	:	Mr. Navneet Kumar Yadav, Advocate
For Respondent	:	Mr. Aman Tamrakar, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal**Order On Board****26.02.2026**

1. The victim and her brother appeared before this Court today through virtual mode from the concerned DLSA and expressed their no-objection in granting bail to the applicant.
2. This is the first bail application filed u/s 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No.221/2024

registered at Police Station Ramanujganj, District – Balrampur- Ramanujganj (CG) for offence punishable under Section 64(2)(m) of BNS and Sections 5(j)(ii) & 6 of Protection of Children from Sexual Offences Act.

3. As per the prosecution case, the applicant was well aware that the victim was a minor, yet he repeatedly committed sexual intercourse with her on the pretext of marriage, due to which she became pregnant and gave birth to a child. Subsequently, on the report being made in this regard, the applicant was arrested on 11.12.2024.
4. Learned counsel for applicant submits that the applicant is innocent and has been falsely implicated in this case. The victim and her brother have expressed their no-objection in granting bail to the applicant. He submits that the victim was a consenting party and DNA report is negative. He further submits that 4 witnesses including the victim have been examined, the applicant is in jail since 11.12.2024 and there is no likelihood of the trial to be concluded at the earliest. Hence, considering all these facts, the applicant may be released on bail.
5. Learned State counsel, on the other hand, opposing the bail application submits that the victim was minor at the time of incident, she has supported the case of prosecution and considering the nature of offence, the applicant does not deserve to be released on bail.
6. Heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the entire facts and circumstances of the case, particularly the court statement of the victim and also considering the facts that the victim and her brother have expressed their no-objection in granting bail to the applicant, only 4 prosecution witnesses have been examined, the applicant is in jail since 11.12.2024 and there is all possibility of the trial taking considerable time for its conclusion, this Court is of the opinion that a case for grant of bail to the applicant has been made out.
8. Accordingly, the application for grant of bail is **allowed**. It is directed that the present Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. The applicant is directed to appear before the trial Court on each and every date to be given to him by the said Court till completion of the trial.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Sanjay Kumar Jaiswal)
JUDGE