



2026:CGHC:10415



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 1580 of 2026

Birsai Paikra S/o Motilal Paikra Aged About 20 Years R/o Bakaspur, P.S. Kusmi, District Balrampur-Ramanujganj, Chhattisgarh.

... Applicant

versus

State Of Chhattisgarh Through P.S. Kusmi, District Balrampur-Ramanujganj, Chhattisgarh.

... Respondent

For Applicant	: Mr. Sudhanshu Kumar Singh, Advocate
For Respondent/State	: Mr. Vinod Tekam, P.L.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order On Board

27.02.2026

1. The victim is not connected through virtual mode from the concerned DLSA though notice has been served.
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.117/2024 registered at Police Station Kusmi, District Balrampur-Ramanujganj (C.G.) for offence punishable under Sections 142,



64(2) of BNS and Sections 4, 5(L), 6 of the Protection of Children from Sexual Offences Act.

3. As per the prosecution case, the applicant, knowing fully well that the victim was a minor, took her to his house and committed sexual intercourse with her more than once. Subsequently, on report being lodged in this regard, the applicant was arrested on 28.10.2024.
4. Learned counsel for applicant submits that the applicant is innocent and he has been falsely implicated in this case. He submits that the victim was a consenting party and she went with the applicant of her own free will. He submits that the age of the victim is not proved and her mother has stated that the applicant and the victim were residing together as husband and wife. He further submits that out of total 20 witnesses, only 7 have been examined before the trial Court, the applicant is in jail since 28.10.2024 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 some important witnesses are yet to be examined. Hence, 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 overall facts and circumstances of the case, particularly the court statements of the victim and her mother and also considering the facts that out of total 20 witnesses only 7 have been examined, the applicant is in jail since 28.10.2024 and there is all possibility of the trial taking considerable time for its conclusion, without commenting anything on merits of the case, this Court is inclined to grant bail to the applicant.
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