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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1506 of 2026**

Montu Alias Tikeshwar Vibhar S/o Damru Vibhar, Aged About 19 Years
R/o Bhathapani, Police Station Sinapali, District- Nuwapara, Odisha

... Applicant**versus**

State of Chhattisgarh *through* Police Station Tikrapara, District- Raipur
(C.G.)

... Respondent

For Petitioner(s) : Mr. Vivek Mishra, Advocate

For Respondent(s) : Miss Sunita Manikpuri, Government Advocate

(Hon'ble Shri Justice Sanjay Kumar Jaiswal)**(Order on Board)****24.02.2026**

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. 774 of 2024 registered at Police Station Tikrapara, District Raipur (C.G) for the offences under Sections 137(2), 64 of Bharatiya Nyuaya Sanhita 2023 and Section 6 of the POCSO Act, 2023.

2. As per the prosecution case, on 09.10.2024, a report was lodged by the brother of victim that on 08.10.2024 at about 7 p.m., his younger sister went to for doing work at Wallfort Colony and thereafter she did not come back and later in pursuance of investigation, the prosecutrix was recovered from the house of the applicant on 13.06.2025 in Orissa. The applicant was arrested on 21.01.2026.

3. Learned counsel for the applicant submits that the prosecutrix is major and she had voluntarily accompanied the applicant, therefore, she was consenting party. He further submits that although the prosecutrix is shown to be minor, yet the evidence of her correct age has not been proved. He submits that the applicant is in jail since 21.01.2026; the trial has not yet commenced and there is no immediate possibility of disposal of case, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the victim is minor at the time of incident and she was recovered from the possession of applicant in his house at Orissa.

5. The victim along with her mother appeared through VC from the concerned DLSA and expressed no-objection to grant bail.

6. Having considered the submissions made by learned counsel for the parties and the overall facts situation of the case especially the fact that the trial has not yet commenced, I am not inclined to release the applicant on regular bail, at this stage. Accordingly, the bail application is **rejected**.

Sd/-

(Sanjay Kumar Jaiswal)
Judge